

APPLICATION ACCEPTED: July 7, 2010
APPLICATION AMENDED: January 29, 2013
PLANNING COMMISSION: March 6, 2013

County of Fairfax, Virginia

February 19, 2013

STAFF REPORT

RZ/ FDP 2010-HM-008
(Concurrent with DPWES Waiver #2615-WPFM-003-1)

HUNTER MILL DISTRICT

APPLICANT: RPB & M LLC and Bozzuto Development Company

PRESENT ZONING: I-4

REQUESTED ZONING: PRM

PARCEL(S)/ ACREAGE: 17-4 ((19)) 1-4, 5A & 6A (North Portion): 3.8315 acres
17-4 ((24)) 4B (South Portion): 1.6755 acres
5.507 acres total

FAR: 17-4 ((19)) 1-4, 5A & 6A (North Portion): 2.5*
17-4 ((24)) 4B (South Portion): 0.42

**Excluding bonus density associated with Affordable Dwelling Units (ADU) and Workforce Housing Units (WHU)*

OPEN SPACE: 20%

PLAN MAP: Mixed Use

RZ PROPOSAL: The applicant seeks to rezone 5.507 acres from the I-4 District to the PRM District to permit transit-oriented mixed use development near the Reston Metro Station at Wiehle Avenue in the Hunter Mill District. The proposed Transit-Oriented Development (TOD) would consist of approximately 447,865 square feet of development (excluding bonus density associated with the provision of affordable dwelling units (ADU) and workforce dwelling units (WDU)), which includes residential, office, and retail uses.

William O'Donnell

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz/



Staff recommends approval of RZ 2010-HM-008 and the associated Conceptual Development Plan subject to the execution of proffers consistent with those contained in Attachment 1.

Staff recommends approval of FDP 2010-HM-008.

Staff recommends approval of a modification of Par. 1 of Section 16-102 of the Zoning Ordinance for yard regulations, setbacks, bulk regulations and building heights in favor of that shown on the CDP/FDP.

Staff recommends approval of a modification of transitional screening and a waiver of the barrier requirements in favor of that shown on the CDP/FDP.

Staff recommends approval of a modification of the loading requirement in favor of the loading spaces depicted on the CDP/ FDP.

Staff recommends approval of a modification of Par. 4 of Section 17-201 of the Zoning Ordinance for the widening of Sunset Hills Road in favor of that shown on the CDP/FDP and in the proffers.

Staff recommends that the Board of Supervisors direct the Director of DPWES to permit a deviation from the tree preservation target percentage in favor of the proposed landscaping shown on the CDP/FDP and as proffered.

Staff recommends approval of a waiver of Par. 1(B) of Sect. 2-414 to permit the existing office building to be set back approximately 70 feet from the Dulles Toll Road.

Staff recommends approval of a waiver to locate underground stormwater management facilities in a residential area (PFM Section 6-0303.8), subject to Waiver #2615-WPFM 003-1 Conditions dated October 9, 2012.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application. For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

N:\ZED\Rezoning\RZ 2010-HM-008 Veatch\report\RZ 2010-HM-008 Veatch Report Cover.doc



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Rezoning Application

RZ 2010-HM-008

Applicant: RBP&M LLC, SECTION 913, LP, & BOZZUTO DEVELOPMENT COMPANY
Accepted: 01/29/2013- AMENDED 07/07/2010
Proposed: MIXED USE
Area: 5.507 AC OF LAND, DISTRICT - HUNTER MILL

Located: 11401, 11403, 11407, 1411 AND 11417
SUNSET HILLS ROAD
Zoning: FROM I- 4 TO PRM

Map Ref Num: 017-4- /19/ /0001 /19/ /0002
/19/ /0003 /19/ /0004 /19/
/0005A /19/ /0006A /24/ /0004B

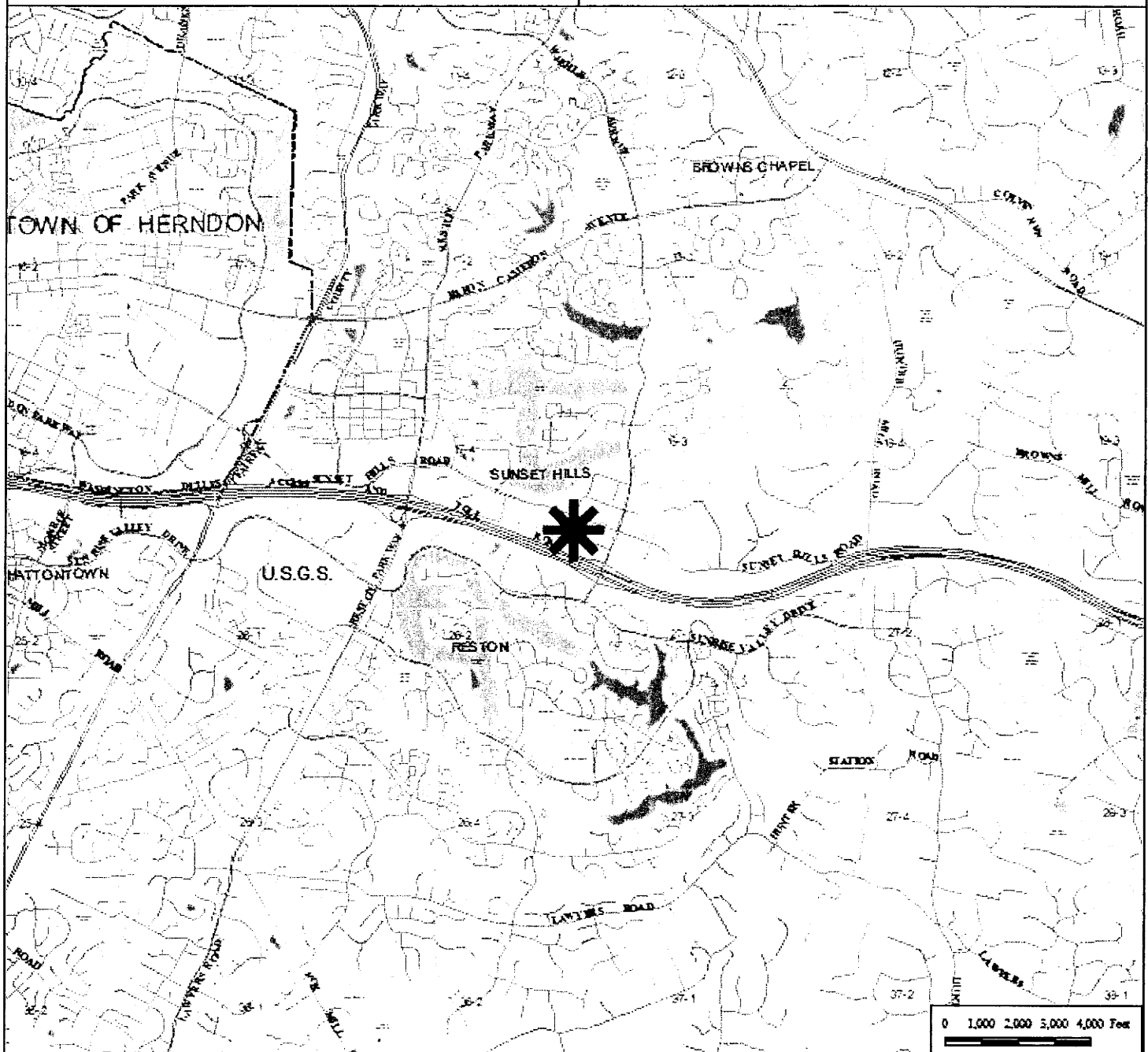
Final Development Plan

FDP 2010-HM-008

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Accepted: 01/29/2013- AMENDED 07/07/2010
Proposed: MIXED USE
Area: 5.507 AC OF LAND, DISTRICT - HUNTER MILL

Located: 11401, 11403, 11407, 11411 AND
11417 SUNSET HILLS ROAD, RESTON, VA 20195
Zoning: PRM

Map Ref Num: 017-4- /19/ /0001 /19/ /0002
/19/ /0003 /19/ /0004 /19/
/0005A /19/ /0006A /24/ /0004B



Rezoning Application

RZ 2010-HM-008

Final Development Plan

FDP 2010-HM-008

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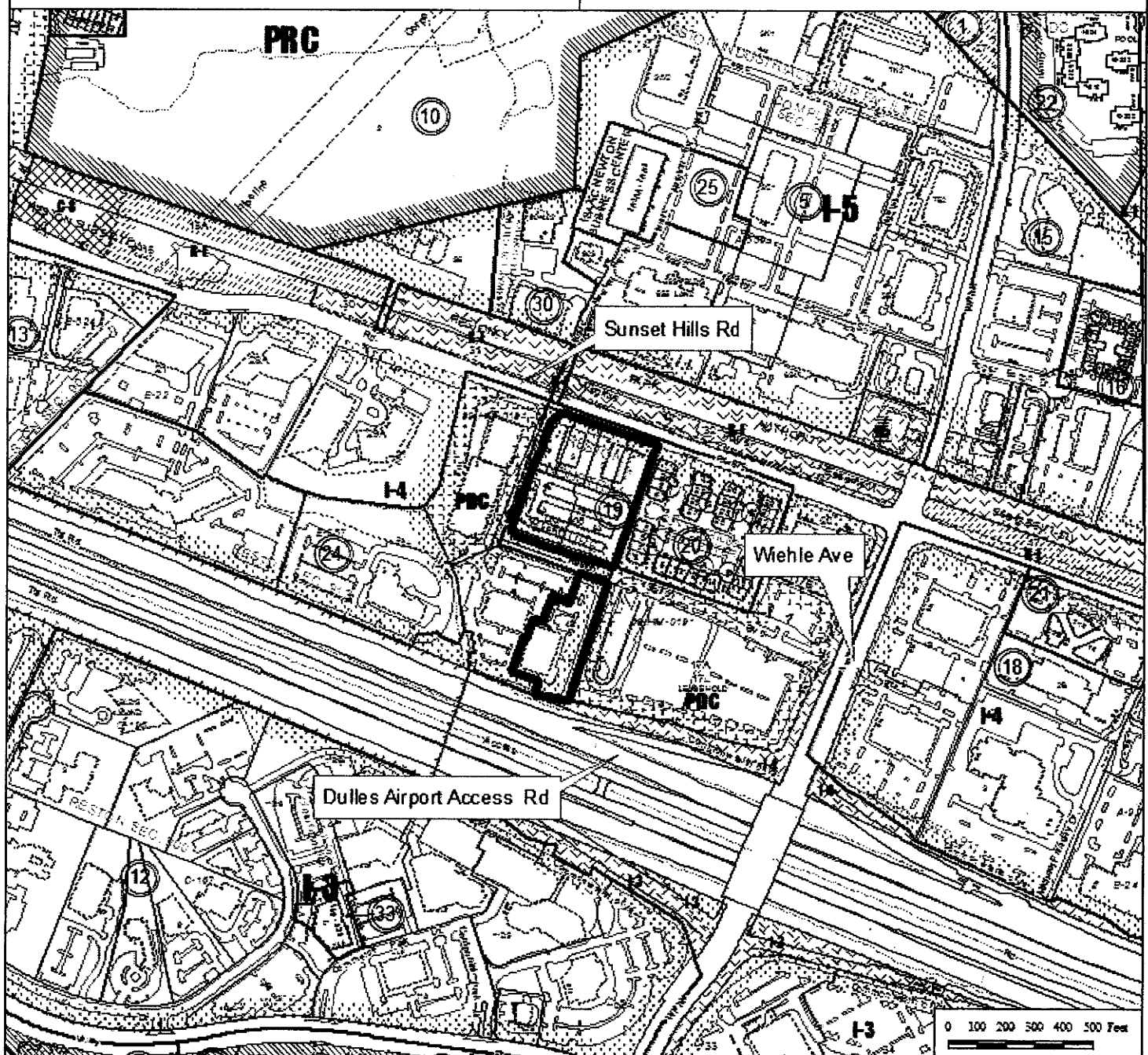
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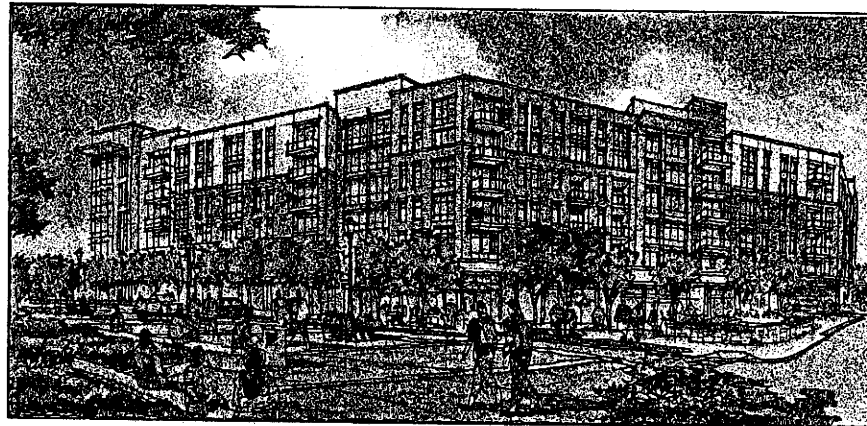
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11417 SUNSET HILLS ROAD, RESTON, VA 20195
Zoning: PRM

Map Ref Num: 017-4- /19/ /0001 /19/ /0002
/19/ /0003 /19/ /0004 /19/
/0005A /19/ /0006A /24/ /0004B



REZONING PLAN (RZ)
 CONCEPTUAL DEVELOPMENT PLAN (CDP) AND FINAL DEVELOPMENT PLAN (FDP)
 (RZ# 2010-HM-008, FDP# 2010-HM-008)
 FOR
VEATCH PROPERTY
 HUNTER MILL DISTRICT
 FAIRFAX COUNTY, VIRGINIA



OWNERS

(T.M. 017-4-19-0001, 0002,
 0003, 0004, 0005A, 0006A)
 RBP & M, LLC
 PO BOX 8008
 RESTON, VA 20195

(T.M. 017-4-24-0004B)
 SECTION 913 LP
 C/O R.H. HAGNER & CO INC
 102 SHERIDAN AV.
 AAFMAA FT. MEYER, VA. 22211

DEVELOPERS

RBP AND M LLC
 11160C1 South Lakes Dr, Suite 805
 Reston, VA 20190
 703-471-7522

BOZZUTO DEVELOPMENT COMPANY
 7850 Walker Dr, Suite 400
 Greenbelt, MD 20770
 301-220-0100

CIVIL ENGINEER

URBAN, Ltd.
 7712 Little River Turnpike
 Annandale, VA 22003
 703-642-8080

LANDSCAPE ARCHITECT

URBAN, Ltd.
 7712 Little River Turnpike
 Annandale, VA 22003
 703-642-8080

ATTORNEY

Cooley, LLP
 One Freedom Square
 Reston Town Center
 11951 Freedom Drive
 Reston, VA 20190
 703-456-8000

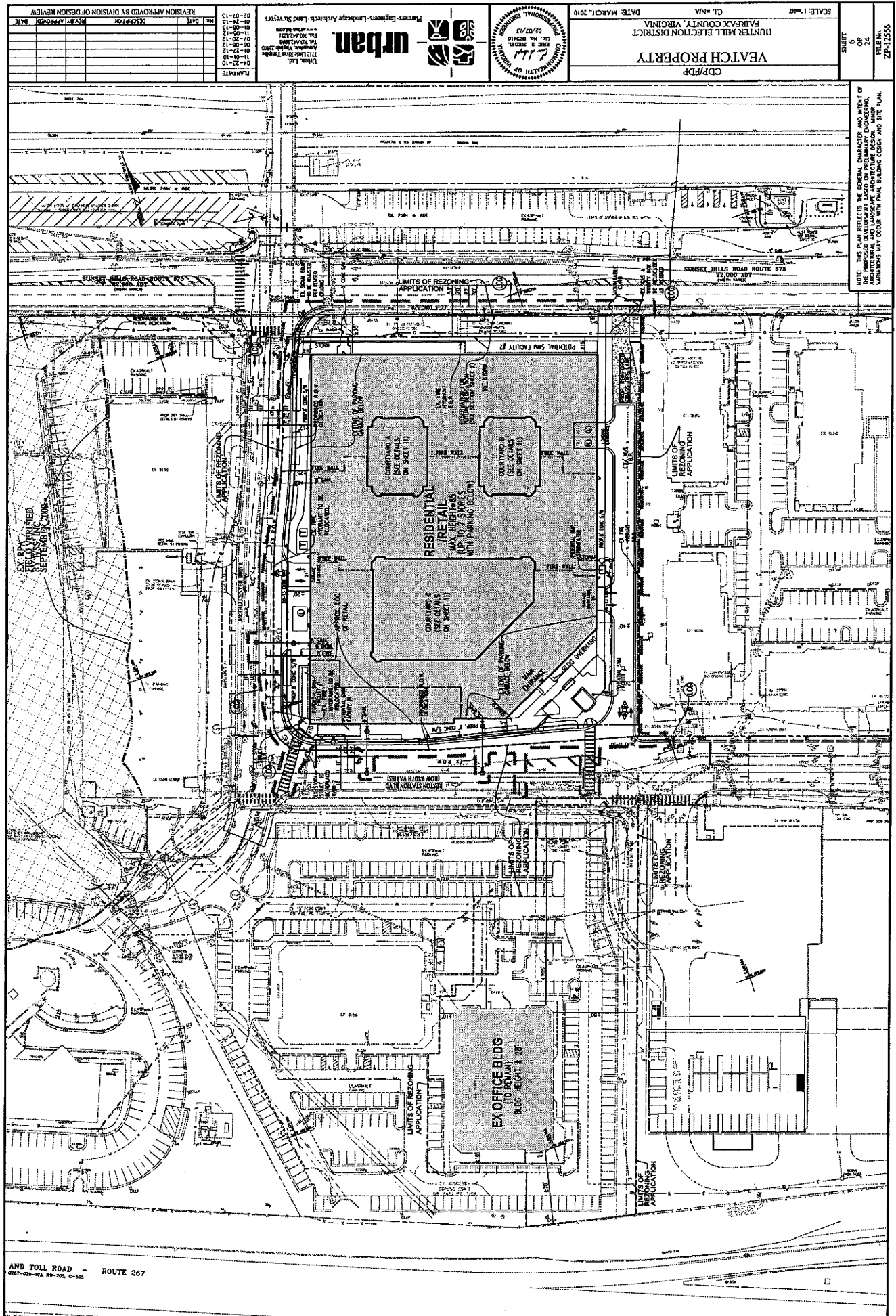
ARCHITECT

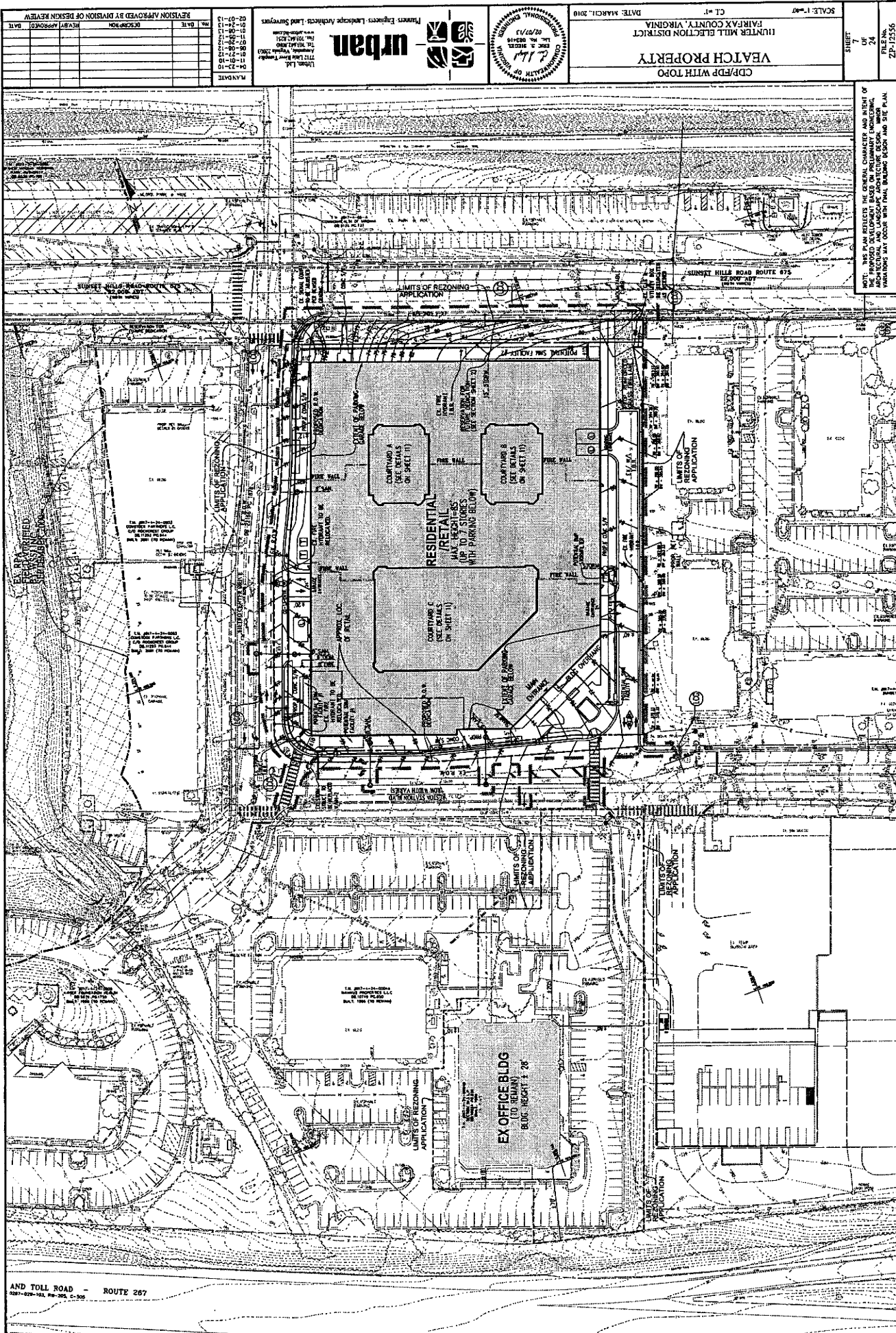
KTGY Group, INC.
 8605 Westwood Center Drive
 Suite 300
 Vienna, VA 22182



PLAN DATE
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11-01-10
01-27-12
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MARCH, 2010
 SHEET 1 OF 24
 ZP-12556



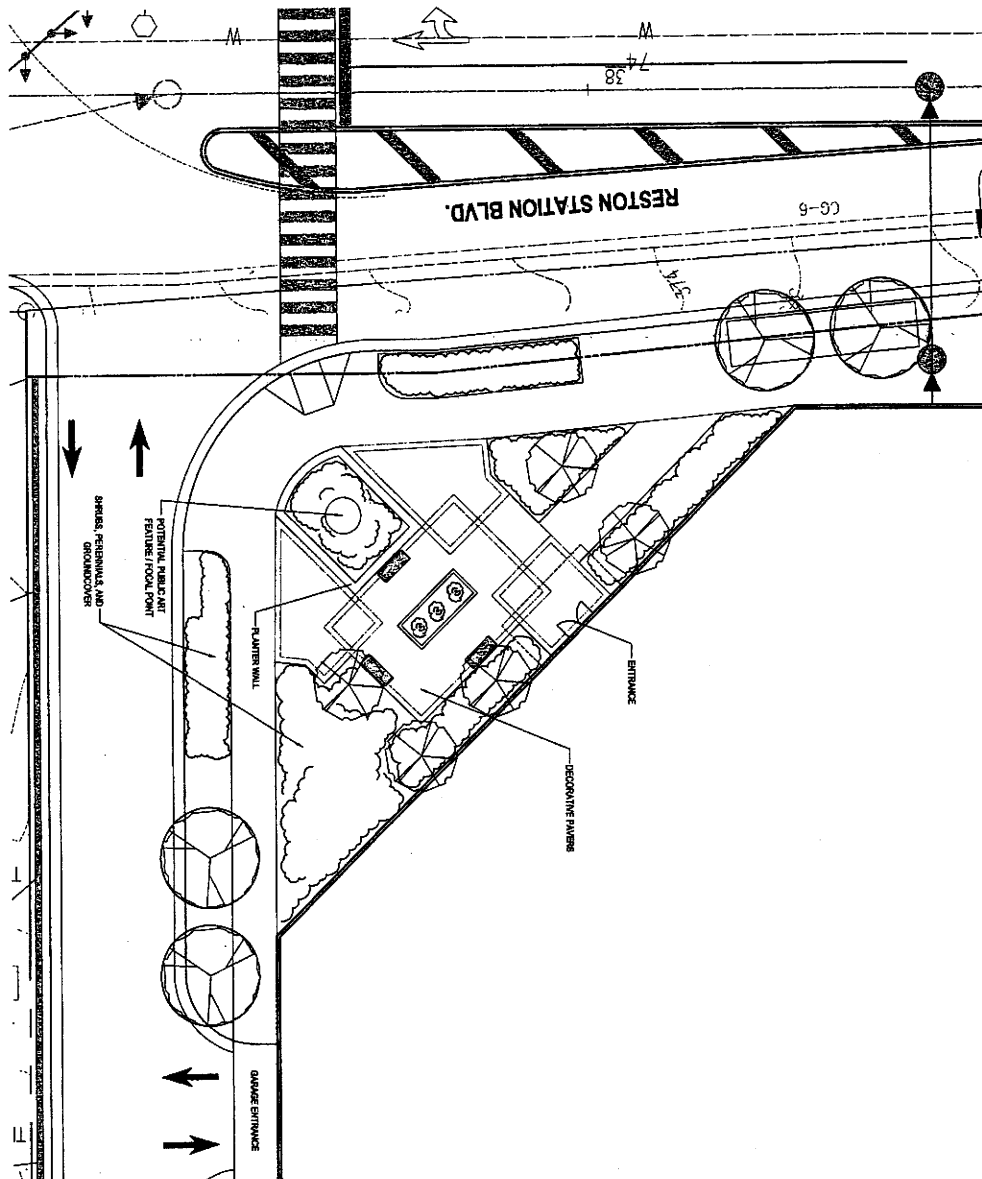


AND TOLL ROAD - ROUTE 267
 2287-229-102, 229-202, C-202

CDP/DP WITH TOPO VEATCH PROPERTY HUNTER MILL ELECTION DISTRICT FAIRFAX COUNTY, VIRGINIA CL #1 DATE: MARCH, 2010		SCALE: 1"=40' SHEET 1 OF 24 FILE NO. 22-12556																																																																																																																													
Urban, Ltd. 7111 Lee Road, Suite 1000 Arlington, Virginia 22204 TEL: 703.461.2000 FAX: 703.461.2001 www.urbanltd.com	Planners, Engineers, Landscape Architects, Land Surveyors Urban, Ltd. 7111 Lee Road, Suite 1000 Arlington, Virginia 22204 TEL: 703.461.2000 FAX: 703.461.2001 www.urbanltd.com	REVISIONS <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> <th>APP'D BY</th> </tr> </thead> <tbody> <tr><td>01</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>02</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>03</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>04</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>05</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>06</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>07</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>08</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>09</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>10</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>11</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>12</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>13</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>14</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>15</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>16</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>17</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>18</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>19</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>20</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>21</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>22</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>23</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> <tr><td>24</td><td>03-11-10</td><td>ISSUED FOR PERMIT</td><td></td><td></td></tr> </tbody> </table>	NO.	DATE	DESCRIPTION	BY	APP'D BY	01	03-11-10	ISSUED FOR PERMIT			02	03-11-10	ISSUED FOR PERMIT			03	03-11-10	ISSUED FOR PERMIT			04	03-11-10	ISSUED FOR PERMIT			05	03-11-10	ISSUED FOR PERMIT			06	03-11-10	ISSUED FOR PERMIT			07	03-11-10	ISSUED FOR PERMIT			08	03-11-10	ISSUED FOR PERMIT			09	03-11-10	ISSUED FOR PERMIT			10	03-11-10	ISSUED FOR PERMIT			11	03-11-10	ISSUED FOR PERMIT			12	03-11-10	ISSUED FOR PERMIT			13	03-11-10	ISSUED FOR PERMIT			14	03-11-10	ISSUED FOR PERMIT			15	03-11-10	ISSUED FOR PERMIT			16	03-11-10	ISSUED FOR PERMIT			17	03-11-10	ISSUED FOR PERMIT			18	03-11-10	ISSUED FOR PERMIT			19	03-11-10	ISSUED FOR PERMIT			20	03-11-10	ISSUED FOR PERMIT			21	03-11-10	ISSUED FOR PERMIT			22	03-11-10	ISSUED FOR PERMIT			23	03-11-10	ISSUED FOR PERMIT			24	03-11-10	ISSUED FOR PERMIT		
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NOTE: THIS PLAN REFLECTS THE GENERAL CHARACTER AND INTENT OF THE PROPOSED DEVELOPMENT BASED ON PRELIMINARY ENGINEERING. VARIATIONS MAY OCCUR WITH FINAL BUILDING DESIGN AND SITE PLAN.

OPEN SPACE EXHIBIT VEATCH PROPERTY HUNTER MILLS ELECTION DISTRICT FAIRFAX COUNTY, VIRGINIA DATE: MARCH, 2010 CL: 40A		SCALE: 1"=40' SHEET: 8 OF 8 2010-12-25
Project: Engineers: Landscapes Architects: Land Surveyors urban 11111 Lee Road Alexandria, Virginia 22304 Tel: 703.686.0000 Fax: 703.686.0001 Email: info@urbanva.com		REVISION APPROVED BY DIVISION OF DESIGN REVIEW NO. DATE DESCRIPTION 01-01-10 02-02-10 03-03-10 04-04-10 05-05-10 06-06-10 07-07-10 08-08-10 09-09-10 10-10-10 11-11-10 12-12-10 13-01-11 14-02-11 15-03-11 16-04-11 17-05-11 18-06-11 19-07-11 20-08-11 21-09-11 22-10-11 23-11-11 24-12-11 25-01-12 26-02-12 27-03-12 28-04-12 29-05-12 30-06-12 31-07-12 32-08-12 33-09-12 34-10-12 35-11-12 36-12-12 37-01-13 38-02-13 39-03-13 40-04-13 41-05-13 42-06-13 43-07-13 44-08-13 45-09-13 46-10-13 47-11-13 48-12-13 49-01-14 50-02-14 51-03-14 52-04-14 53-05-14 54-06-14 55-07-14 56-08-14 57-09-14 58-10-14 59-11-14 60-12-14 61-01-15 62-02-15 63-03-15 64-04-15 65-05-15 66-06-15 67-07-15 68-08-15 69-09-15 70-10-15 71-11-15 72-12-15 73-01-16 74-02-16 75-03-16 76-04-16 77-05-16 78-06-16 79-07-16 80-08-16 81-09-16 82-10-16 83-11-16 84-12-16 85-01-17 86-02-17 87-03-17 88-04-17 89-05-17 90-06-17 91-07-17 92-08-17 93-09-17 94-10-17 95-11-17 96-12-17 97-01-18 98-02-18 99-03-18 100-04-18 101-05-18 102-06-18 103-07-18 104-08-18 105-09-18 106-10-18 107-11-18 108-12-18 109-01-19 110-02-19 111-03-19 112-04-19 113-05-19 114-06-19 115-07-19 116-08-19 117-09-19 118-10-19 119-11-19 120-12-19 121-01-20 122-02-20 123-03-20 124-04-20 125-05-20 126-06-20 127-07-20 128-08-20 129-09-20 130-10-20 131-11-20 132-12-20 133-01-21 134-02-21 135-03-21 136-04-21 137-05-21 138-06-21 139-07-21 140-08-21 141-09-21 142-10-21 143-11-21 144-12-21 145-01-22 146-02-22 147-03-22 148-04-22 149-05-22 150-06-22 151-07-22 152-08-22 153-09-22 154-10-22 155-11-22 156-12-22 157-01-23 158-02-23 159-03-23 160-04-23 161-05-23 162-06-23 163-07-23 164-08-23 165-09-23 166-10-23 167-11-23 168-12-23 169-01-24 170-02-24 171-03-24 172-04-24 173-05-24 174-06-24 175-07-24 176-08-24 177-09-24 178-10-24 179-11-24 180-12-24 181-01-25 182-02-25 183-03-25 184-04-25 185-05-25 186-06-25 187-07-25 188-08-25 189-09-25 190-10-25 191-11-25 192-12-25 193-01-26 194-02-26 195-03-26 196-04-26 197-05-26 198-06-26 199-07-26 200-08-26 201-09-26 202-10-26 203-11-26 204-12-26 205-01-27 206-02-27 207-03-27 208-04-27 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NOTE: THIS PLAN REFLECTS THE GENERAL CHARACTER AND NATURE OF THE PROPOSED DEVELOPMENT. IT IS NOT A CONTRACT DOCUMENT. ANY VARIATIONS MAY OCCUR WITH FINAL BUILDING DESIGN AND SITE PLAN.

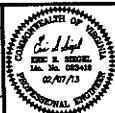
MAIN ENTRANCE PLAZA DETAIL PLAN
VEATCH PROPERTY

HUNTER MILL ELECTION DISTRICT
FAIRFAX COUNTY, VIRGINIA

SCALE: 1"=10'

CL = N/A

DATE: MARCH 2010



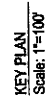
Urban, Ltd.
4000 Tuckahoe Court
Chantilly, Virginia 20151
Tel: 703.421.2500
www.urban-ltd.com

PLAN DATE

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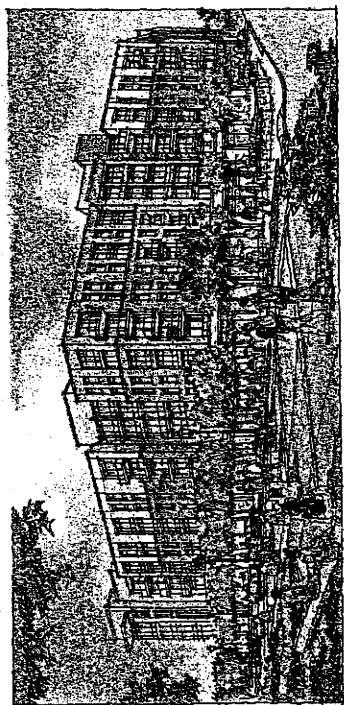
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PERSPECTIVE 2

REGISTRATION



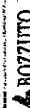
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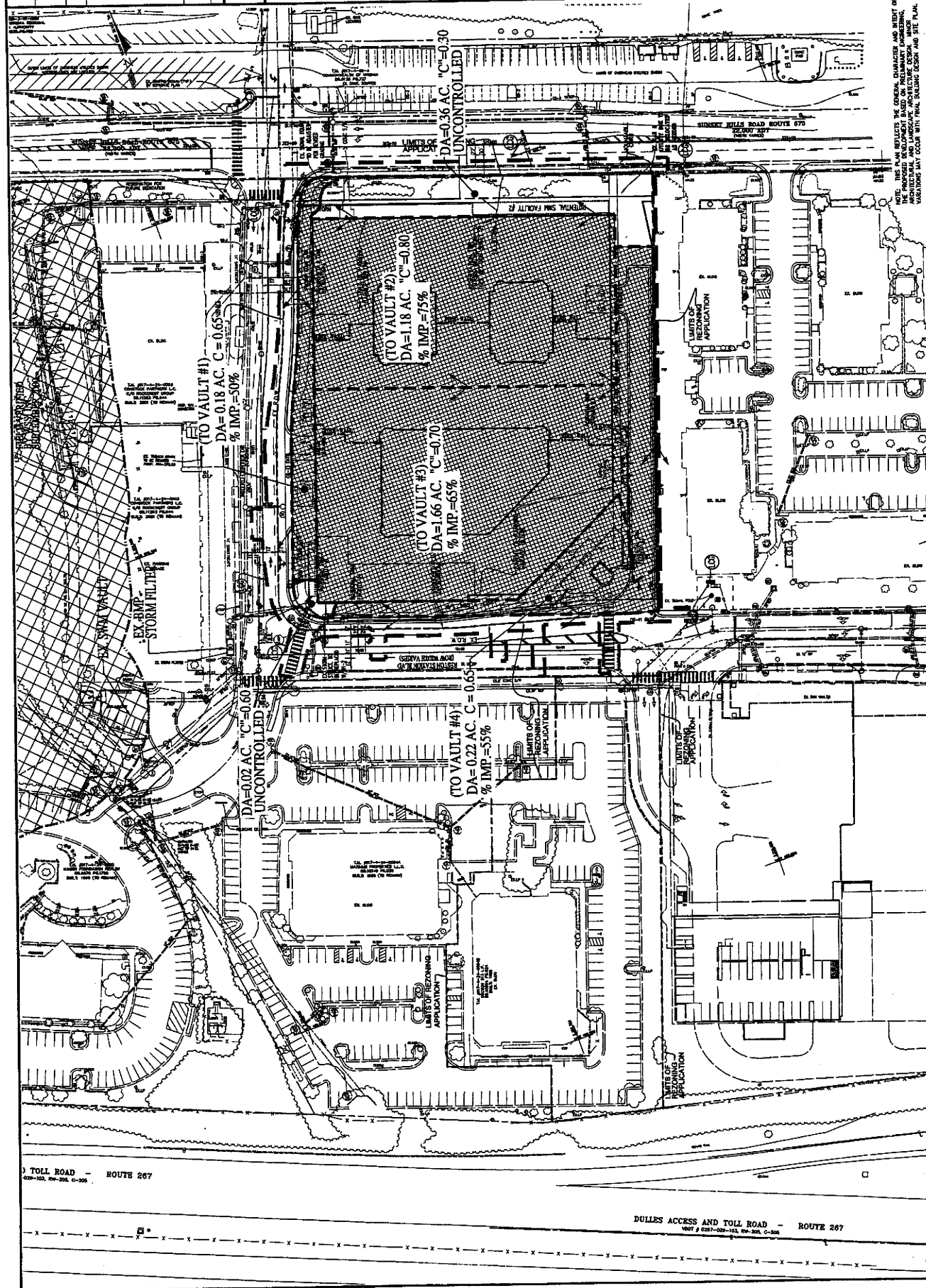
RESTON STATION



MISSING

SECTION: STATION:





The following information is required to be shown or provided in all zoning applications, or a waiver request of the submission requirements with justification shall be attached. **Notice:** Violators will be acted upon separately. Failure to adequately address the required submission information may result in a delay in processing this application.

7. The information is required under the following Zoning Ordinance paragraphs:

Special Permits (S-011 2J & 2L)	Special Exceptions (S-011 2J & 2L)
Cluster Subdivision (S-016 1G & 1H)	Commercial Realization Districts (S-022 2A (12) & (14))
Development Plans PRC District (16-302 3 & 4L)	PHG Plan (16-303 1E & 1C)
PDZ P Districts (except PRC) (16-802 1F & 1G)	Amendments (16-202 10E & 10I)

1. Is the site a minimum of 1/4" (6.35) in depth on one street with a minimum slope of 1% (0.02)?
2. A graphic depicting the stormwater management facilities, and limits of clearing and grading surrounding accommodations for stormwater management, storm drainage pipe systems and outlet protection, flood pathways, access roads, site outfalls, energy dissipation facilities, and stream stabilization measures as shown on Sheet 1
3. A table:
- | Facility Name/
Type & Size | On-site area
served (acres) | Off-site area
served (acres) | Drainage area
(acres) | Frequency
area (ft) | Storage
Volume (ft ³) | If pond, depth
(ft) |
|---------------------------------------|--------------------------------|---------------------------------|--------------------------|------------------------|--------------------------------------|------------------------|
| <u>Stormwater Management Facility</u> | <u>0.0011</u> | <u>0.0000</u> | <u>0.0011</u> | <u>1.0</u> | | |
| <u>Total</u> | | | | | | |
4. Create drainage channels, outfalls and pipe systems as shown on Sheet 1.
Hand draw and outline pipe systems as shown on Sheet 1.
5. Interference across (road) to stormwater management facility as shown on Sheet 1.
Type of interference across road surface outlined on the plan is 2" x 10" trench, gravel, gravel, gravel.
6. Landscaping and tree preservation shown in and near the stormwater management facility is shown on Sheet 1.
7. A "stormwater management facility" which contains a description of how detention and best management practices requirements will be met is provided on Sheet 1.
8. A description of the outlet structure of each subunit to the outlet watershed downstream from the site is a point which is at least 100 feet the site area is a catchment area of at least one acre square rate (ft³/sec) is provided on the plan.
9. A description of how the outlet requirements, including known factors to contributing drainage areas (e.g. channel alterations) of the Puerto Realization Project will be satisfied is provided on Sheet 1.
10. Defining topography with minimum elevation of 7.00 feet and a note as to whether it is an area of flood or not is provided on Sheet 1.
11. A stormwater manager is requested for underground flow/rapid facility.
12. Stormwater management is not required because N/A.

Replan - Section D13

Existing Use		Net Site Area (Residential Only)	150,058 sf
Ex. Pervious Area		21,066 sf	
Ex. Impervious Area		138,992 sf	
Ex. Percent Impervious		92.67%	
Proposed Development		Net Site Area (Residential Only)	150,058 sf
Prop. Pervious Area		33,778 sf	
Prop. Pervious Area (Counted as Imp)		11,276 sf	
Prop. Impervious Area		117,064 sf	
Percent Impervious		78.0%	

BNP Cases		
increase in impervious area		0.12
increase relative to existing conditions		0.00%
RPA att'd?		No
Qualifies for Redevelopment?		Yes
RR = $(1 - 0.5 \cdot T_{\text{area}} / T_{\text{total}}) \cdot 100$		
Required Phosphorus Reduction		8.7% X
Onsite Treatment Option Cokes		
BNP efficiency		0.50
C = A to be treated by Storm Nilar		0.05
% impervious treated		100.00
% area treated		0.01%
% corrugated		0.0%

0.70 cfs treated per impervious acre routed to StormFilter

<p>Storm Water Management Costs</p> <p>Estimated C factor</p> <table border="1"> <tr> <td>Existing</td> <td>0.87</td> </tr> <tr> <td>Proposed</td> <td>0.74</td> </tr> </table>		Existing	0.87	Proposed	0.74
Existing	0.87				
Proposed	0.74				
02 pre	16.22				
02 post	14.70				
010 pre	21.63				
010 post	19.61				
2 yr Required Peak Flow Reduction	-1.84 cfs				
10 yr Required Peak Flow Reduction	-3.84 cfs				

1. FOR BMP PURPOSES, ROOFTOP PERVIOUS IS COUNTED AS IMPERVIOUS
2. IF THE ADEQUATE OUTFALL SWM DETENTION METHOD, WHICH IS STRICTER THAN THE STANDARD SWM REQUIREMENTS, IS USED, THE ADEQUATE OUTFALL SWM DETENTION METHOD CALCULATIONS SHALL GOVERN IN PRELIMINARY COMPUTATIONS FOR ONSITE SWM DETENTION FOR ADEQUATE OUTFALL DETENTION CALCULATIONS SEE SHEET#18.

SWM and BMP:

Stormwater Management and Best Management Practice requirements are being met for the Residential Site only. The Existing Office Site will remain in its existing condition and no SWM or BMP improvements are provided. The total development proposes disturbing approximately 5 acres of land. The HUD-REHAP HHS-2010-0006 requires that the proposed 2010 site conditions will be considered the base case existing conditions, with the completion of all required improvements as shown on Reston Station Road Improvements Site Plan (PFX County Improvement #2010-0006). It would be considered existing as shown on the CDR/PDP. Requirements beyond the existing conditions include the following: 1) Stormwater management facilities to meet the requirements. The site area for SWM & BMP purposes is the Net Development area of 3.62 acre. The BOW dedicated area is treated in the SWM & BMP facilities provided with PFX Plan #215-SP-007.

Stormwater Management (SWM) and Best Management Practices (BMP) measures sufficient to satisfy the PPM requirements shall be provided for this project subject to final design at the time of the final site plan(s). The existing site is largely impervious and the proposed development produces a minor decrease in the amount of impervious area. The proposed development qualifies as a redevelopment for BMP requirements because there is less than 20% increase in impervious area. Preliminary SWM and BMP sizing calculations are provided on this sheet and preliminary locations are shown on Sheet #14. Based on the proposed development, the storm water detention vault and underground StormPurifier vault solutions. The storm water detention vault will be designed to meet the post-development discharge does not exceed the pre-development discharge for the 2 and 10 year storm.

A waiver request for providing below grade SWM and BMP measures on a site that includes residential use will be submitted to Fairfax County Staff concurrently with the CDP/FDP application.

ADEQUATE OUTFALL:

[illegible]

Prior to final site plan approval, the Applicant intends to survey the downstream outfall channels and review the Fairfax County soil data to verify whether adequate velocities are present. For purposes of this CDR/OP, the stream restoration project is expected to depict how the downstream outfall regulations could be met using the Detention Method of the Fairfax County FFW. The proposed outfall structure is shown on Sheet #16 showing the required 100% reduction in flow rate. The proposed outfall structure is shown on Sheet #16 showing the required proportional improvement and an estimated underground SWM vault size shown on Sheet #16. The required flow reductions. The storm sewer and underground vault layout is shown on Sheet #14. The SWM and BMP facilities will be privately maintained and are designed to be off-line to that no SWM or BMP facility will be located in a storm sewer easement or in the public right of way.

The Detention Method is a conservative approach to model the largest anticipated detention volumes that may be required to satisfy adequate outfall requirements. At the time of Final Site Plan, subject to final design computations, additional office data and downstream owner's cooperation, the Applicant may pursue alternative methods of satisfying the adequate outfall requirements provided by the PFM.

STORMFILTER DESIGN TABLE

[illegible]

FRAME AND COVER
(DIAMETER VARIES, SEE
SUBMITTAL DRAWINGS)

THE STORMWATER MANAGEMENT STORMFILTER®
8' x 18' STORMFILTER
STANDARD DETAIL



1) STORAGEAGE BY CANTON STORMWATER STRUCTURES, PORTLAND, OR (800) 340-4667; SCHWABENSKI, NE (877) 907-5676; (503) 266-7400; (503) 266-8318.

[illegible]

urban.

Urban, Ltd.
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Annandale, Virginia 22003
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SWMBMP STUDY

VEATCH PROPERTY

HUNTER MILL ELECTION DISTRICT
FAIRFAX COUNTY, VIRGINIA

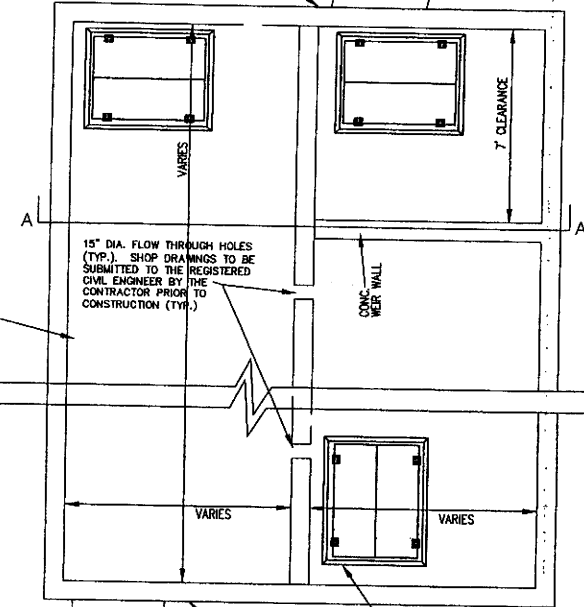
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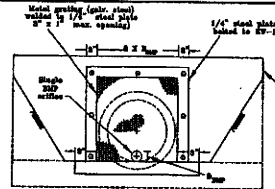
TOP VIEW

MODIFIED END CAP FOR BOX CULVERT. SHOP DRAWINGS TO BE PROVIDED TO ENGINEER FOR APPROVAL (TYP.)

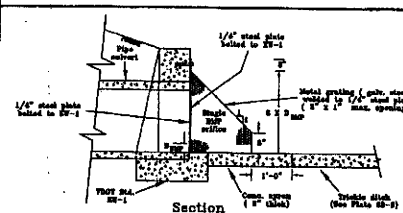


CONTRACTOR TO GROUT BOTTOM AS NECESSARY TO ENSURE POSITIVE DRAINAGE FROM SWM VAULT

FAIRFAX COUNTY PUBLIC FACILITIES MANUAL



Elevation



Section

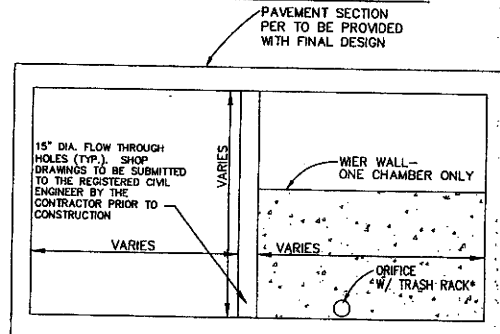
- Notes:
- 1) Alternative slope configurations are acceptable as long as the flow velocity thru the slope at the max BMP pool elev is less than 4.0 FPS.
 - 2) This detail (metal grating and steel plate) may be applied directly against rectangular vaults.
 - 3) For larger cages (height > 8') x 8' x 8' binged gate with locking mechanism shall be installed on the front face of the cage.

Int. Rev. 6-1801-00	BMP EXTENDED DRAWDOWN DEVICE (EXAMPLE DETAIL)	PLATE NO.	HYD. NO.
Rev. 1-00		61-6	

DETAILS ON THIS SHEET REPRESENTS A PRELIMINARY GENERIC UNDERGROUND VAULT DESIGN AND IS NOT THE FINAL DESIGN FOR THESE VAULTS PROVIDED WITH APPLICATION. FINAL DETAILS AND DESIGNS ARE SUBJECT TO CHANGE WITH FINAL ENGINEERING.

CONTRACTOR TO PROVIDE SHOP DRAWINGS FOR MODIFIED BOX CULVERT TO ENGINEER FOR APPROVAL PRIOR TO FABRICATION AND CONSTRUCTION.

CROSS-SECTION A-A



* USE BMP DEBRIS CAGE, DETAIL THIS SHEET, OR EQUIVALENT

urban. Planners Engineers Landscape Architects Land Surveyors 1100 Lee Road, Suite 200 Fairfax, VA 22031 Tel: 703.261.1234 Fax: 703.261.1235 www.urbanva.com		REVISION APPROVED BY DIVISION OF DESIGN REVIEW NO. DATE DESCRIPTION BY DATE 1 10/20/13 10/20/13 10/20/13 2 10/20/13 10/20/13 10/20/13 3 10/20/13 10/20/13 10/20/13 4 10/20/13 10/20/13 10/20/13 5 10/20/13 10/20/13 10/20/13 6 10/20/13 10/20/13 10/20/13 7 10/20/13 10/20/13 10/20/13 8 10/20/13 10/20/13 10/20/13 9 10/20/13 10/20/13 10/20/13 10 10/20/13 10/20/13 10/20/13
SWMBMP STUDY VEATCH PROPERTY HUNTER MILL ELECTION DISTRICT FAIRFAX COUNTY, VIRGINIA CI #114 DATE: MARCH, 2010 SCALE: 1"=4'		SHEET 17 OF 24 FILE NO. ZP-12556

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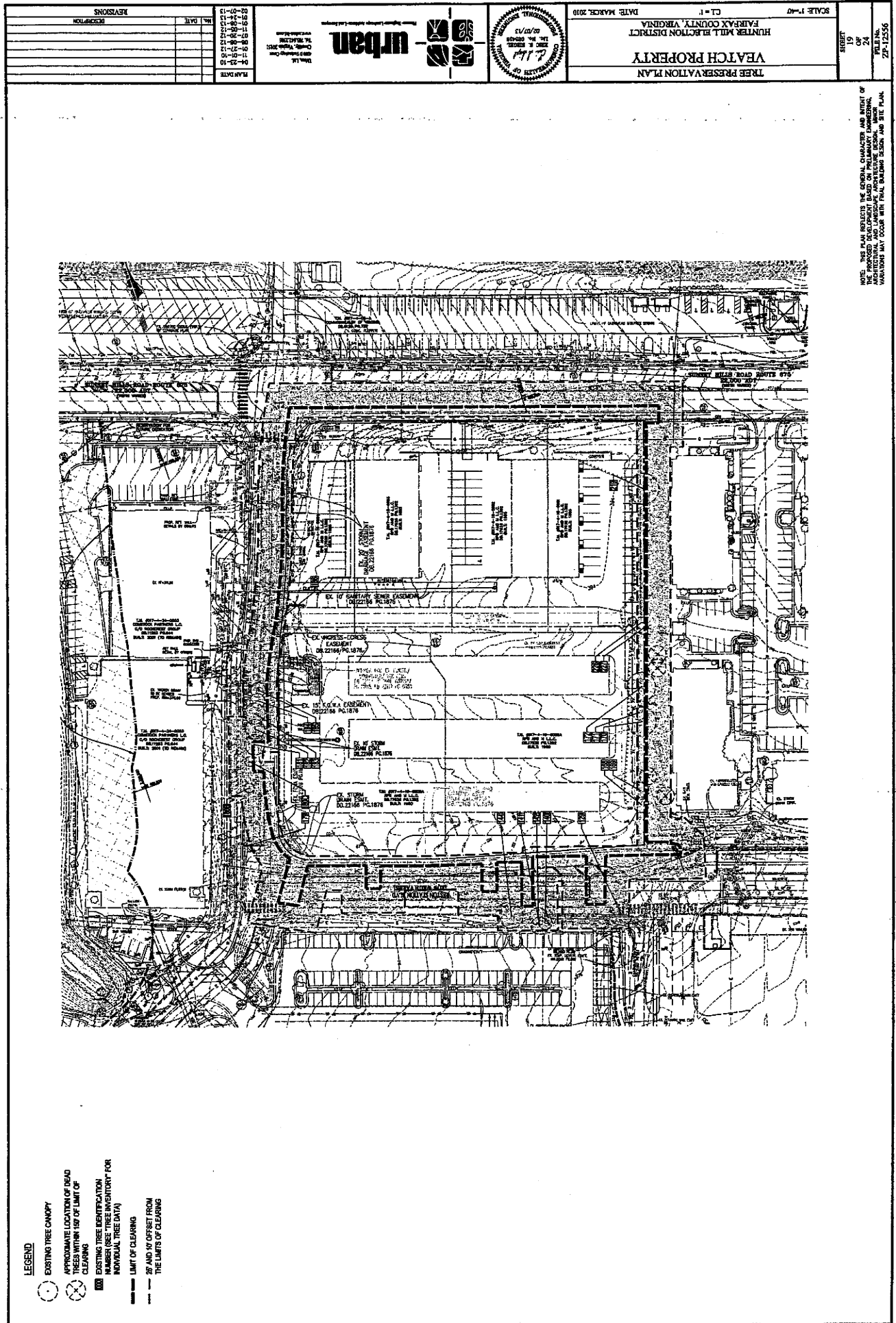
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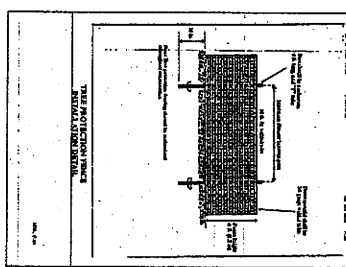
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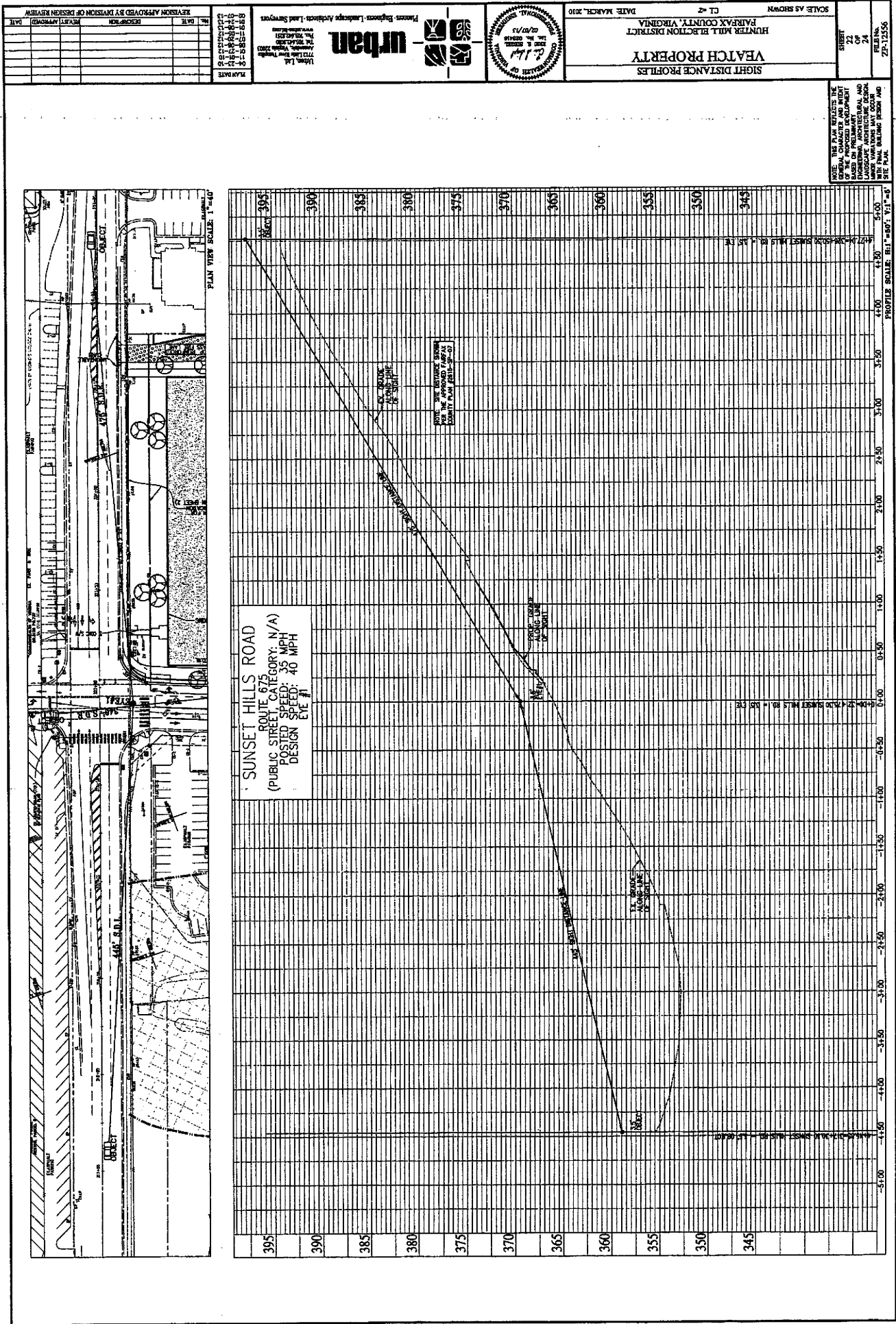
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GUIDELINES FOR TREE PRESERVATION AREAS (TPA'S)

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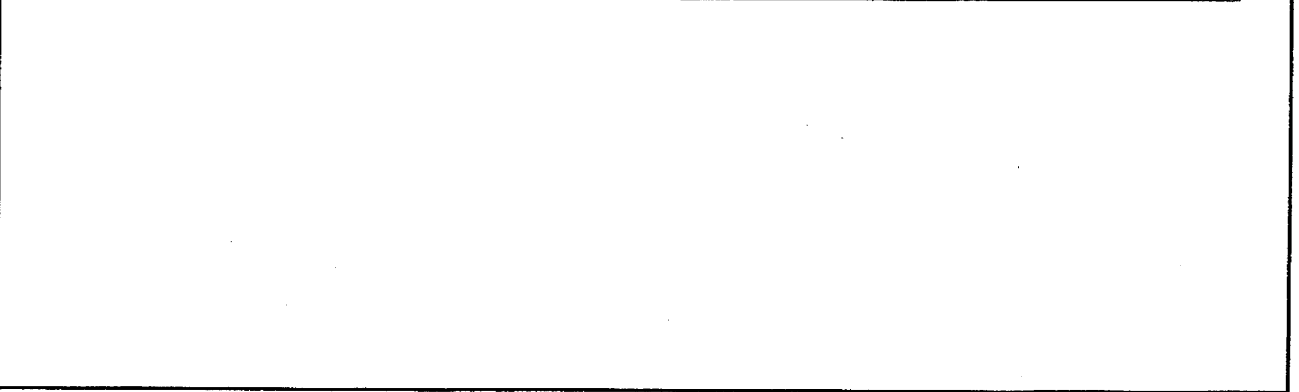
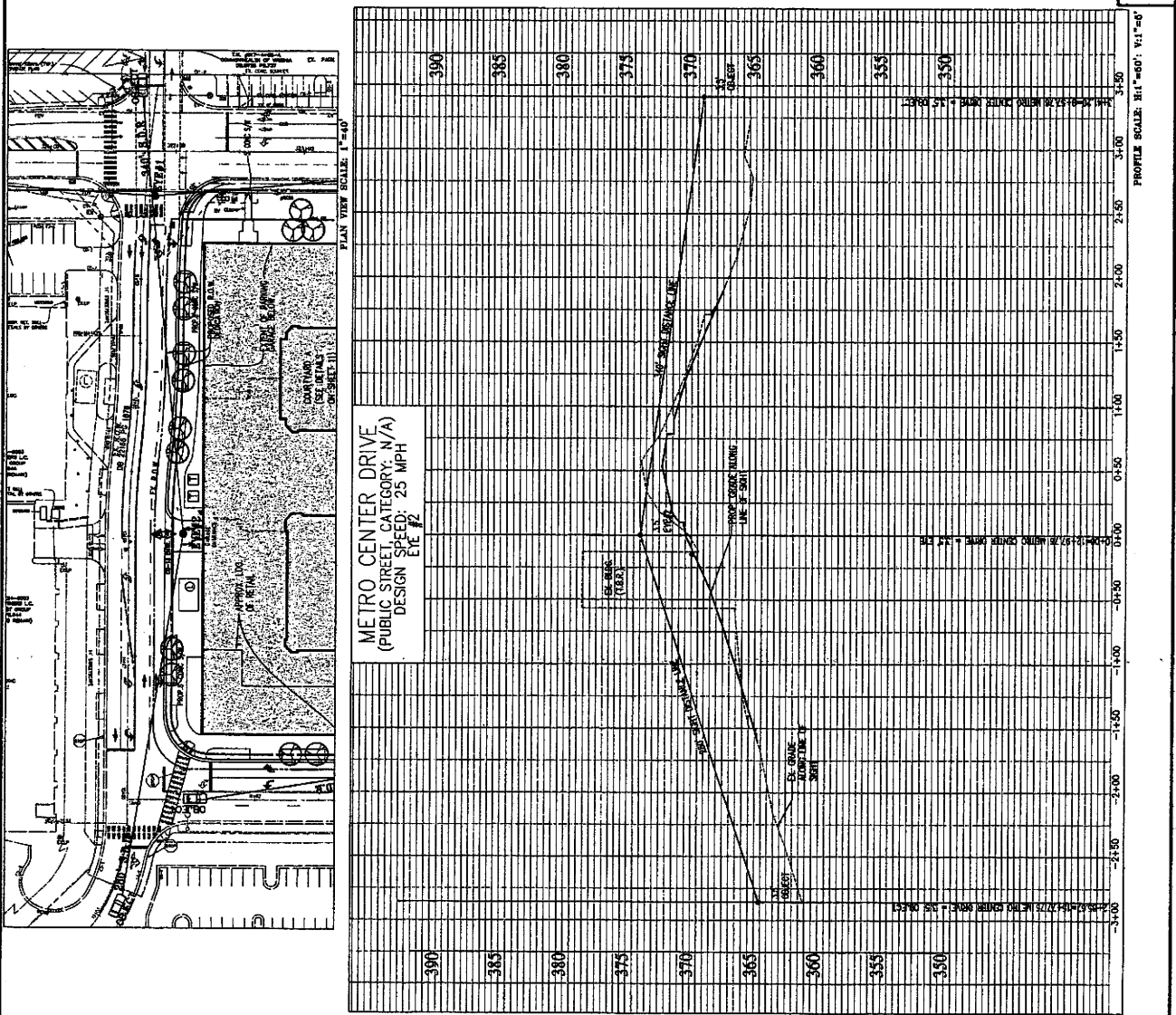


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01-24-13	No.	DATE	DESCRIPTION



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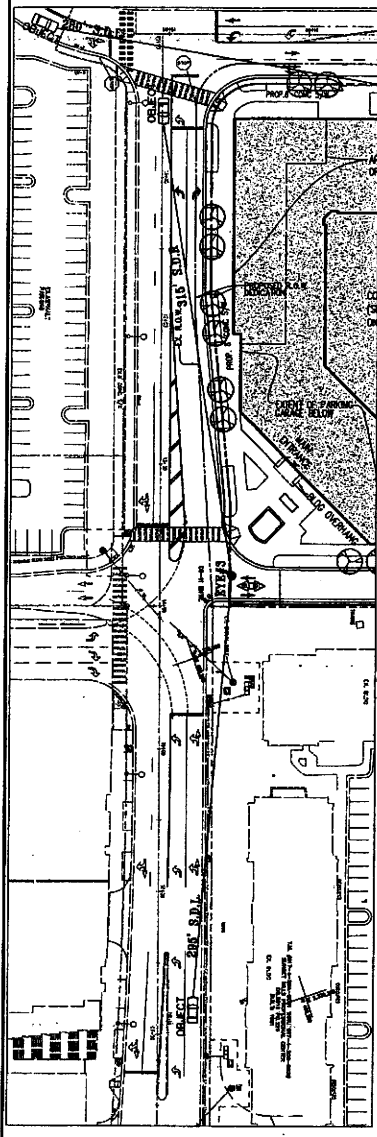
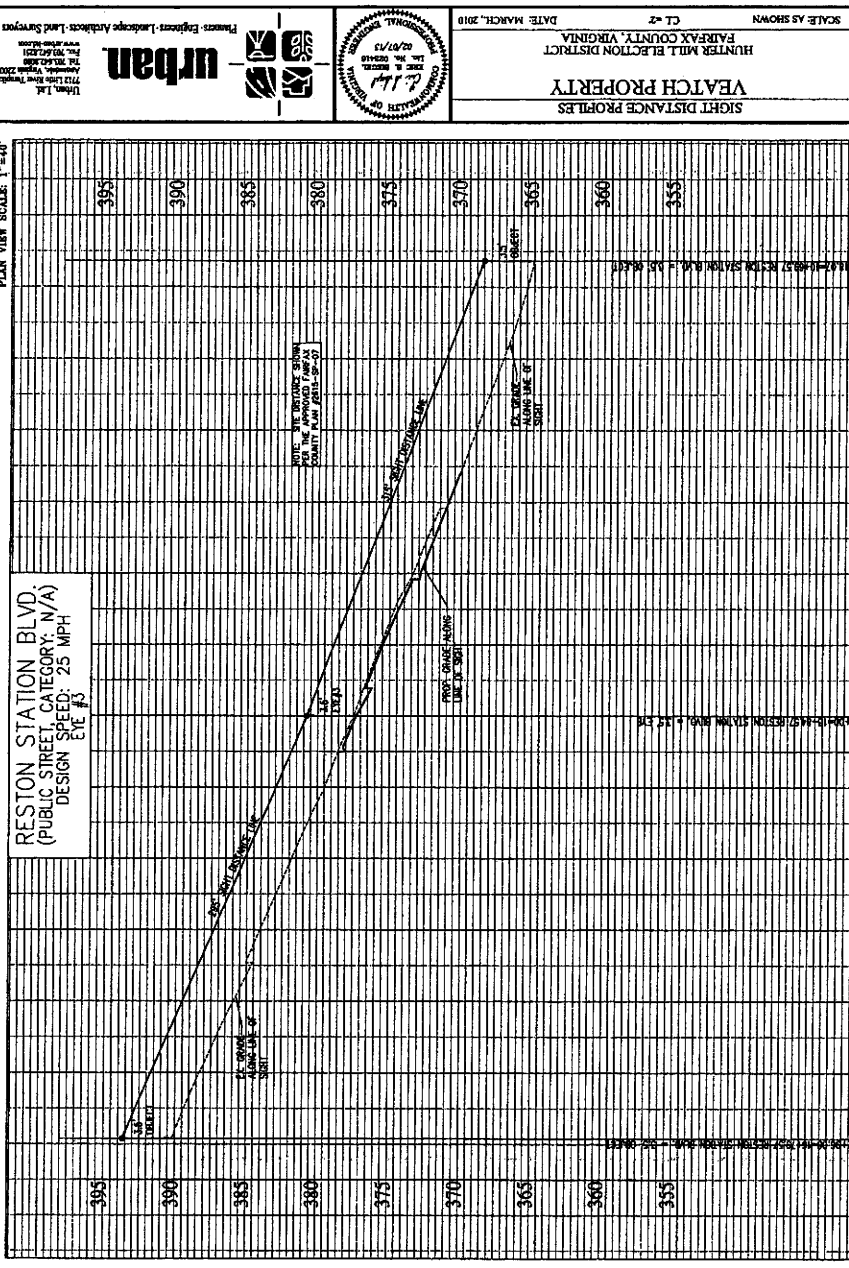
THESE PLANS REFLECT THE ORIGINAL CHARACTER AND DIRECTION OF THE METRO CENTER DRIVE AND THE PROPOSED IMPROVEMENTS TO THE METRO CENTER DRIVE. THE ARCHITECTURAL AND LANDSCAPE ARCHITECTURE DESIGN, UNDER THE SUPERVISION OF THE ARCHITECT, IS SUBJECT TO THE APPROVAL OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS. THE BOARD OF SUPERVISORS MAY REQUIRE CHANGES TO THE PLANS.



FILE NO.
22P-12556

NOTE: THIS PLAN REFLECTS THE GENERAL CHARACTER AND INTENT OF THE PROJECT AND IS NOT A CONTRACT DOCUMENT. ANY VARIATIONS MAY OCCUR WITH FINAL BUILDING DESIGN AND SITE PLAN.

PROFILER SCALE: H/L = 50'; V/L = 4'



REVISION	DATE	BY	APPROVED BY	DATE
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9	03/07/13	JLH		
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Fax: 703.642.8801
www.urbaninc.com

Planners: Engineers - Landscape Architects - Land Surveyors



SIGHT DISTANCE PROFILES
VEATCH PROPERTY
HUNTER MILL ELECTION DISTRICT
FAIRFAX COUNTY, VIRGINIA
DATE: MARCH, 2010
CL #2
SCALE: AS SHOWN

**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS WILL BE
FOUND AT THE BACK OF THIS REPORT**

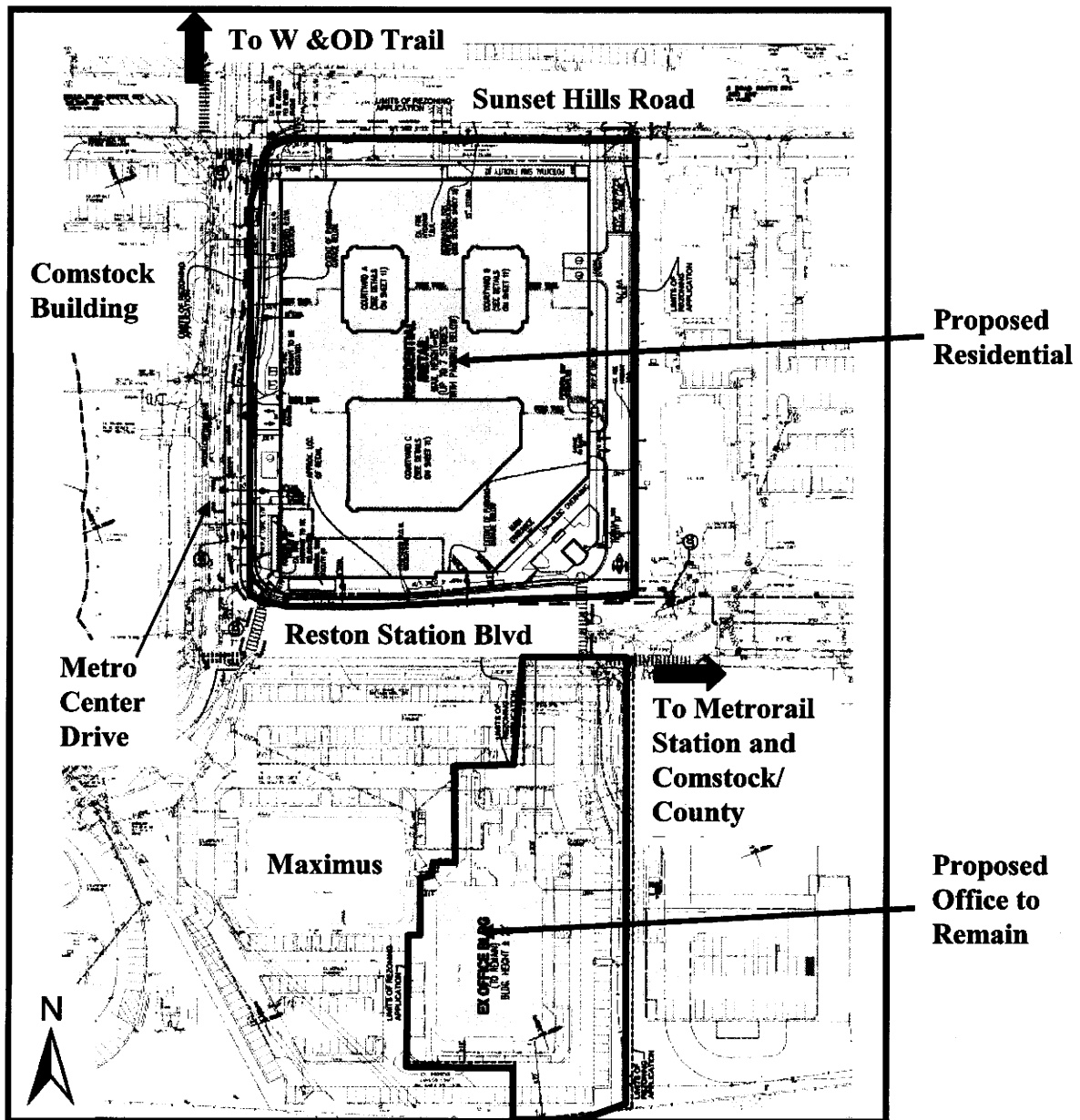
DESCRIPTION OF THE APPLICATION

Proposal:

The applicant, RPB & M LLC and Bozzuto Development Company, has filed an application (RZ/FDP 2010-HM-008) on Tax Map Parcels 17-4 ((19)) 1-4, 5A and 6A and 17-4 ((24)) 4B, to rezone 5.507 acres from the I-4 District to the PRM District and permit a mixed-use, transit-oriented development (TOD) within a quarter mile of the Wiehle-Reston East Metrorail Station in the Hunter Mill District. A map of these tax map parcels is located in the front of the staff report.

The proposed development is divided into two sections separated by a new street (Reston Station Boulevard), which is being constructed in association with the Comstock/Fairfax County redevelopment to the east. The applicant proposes to construct an 85 foot tall (7-story) mid-rise, multifamily residential building consisting of approximately 417,257 gross square feet, with 421 units and approximately 10,000 square feet of support retail on the northern portion of the site, and retain the existing 30 foot tall office building with approximately 30,608 square feet on the southern portion. The overall proposed FAR is 1.86, with the residential building with ground-floor retail containing a maximum of 2.5 FAR, and the existing office building retaining a maximum of 0.42 FAR. This FAR excludes bonus density associated with the provision of affordable dwelling units (ADU) and workforce dwelling units (WDU).

Graphic 1 below shows the proposed layout.

Graphic 1: Proposed Layout

As shown in Graphic 1, vehicular access to the multi-family residential building will be provided from the east through a new private driveway, which may be converted into a public street when the property to the east redevelops. Access will also be provided from the west off Metro Center Drive. The existing office building will continue to share an access point from Metro Center Drive with the existing Maximus office building to the west. Pedestrian circulation and access will be provided through new sidewalks along all four sides of the multifamily residential building, as well as a new sidewalk on the south side of Reston Station Boulevard, which all lead to the Metrorail Station through a public plaza associated with the Comstock/Fairfax County new development project to the southeast.

Waivers/Modifications Requested:

- Modification of Par. 1 of Section 16-102 of the Zoning Ordinance for yard regulations, setbacks, bulk regulations and building heights in favor of that shown on the CDP/FDP.
- Modification of transitional screening and a waiver of the barrier requirements in favor of that shown on the CDP/FDP.
- Modification of the loading requirement in favor of the loading spaces depicted on the CDP/ FDP.
- Modification of Par. 4 of Section 17-201 of the Zoning Ordinance for the widening of Sunset Hills Road in favor of that shown on the CDP/FDP and as described in the proffers.
- Directive to the Director of DPWES to permit a deviation from the tree preservation target percentage in favor of the proposed landscaping shown on the CDP/FDP and as proffered.
- Waiver of the 75-foot setback requirements for non-residential uses abutting principal arterial highways as required by Par. 1(B) of Section 2-414.1 of the Fairfax County Zoning Ordinance to permit the existing office building to remain located approximately 70 feet from the Dulles Toll Road.
- Waiver to locate underground stormwater management facilities in a residential area (PFM Section 6-0303.8), per Waiver #2615-WPFM 003-1.

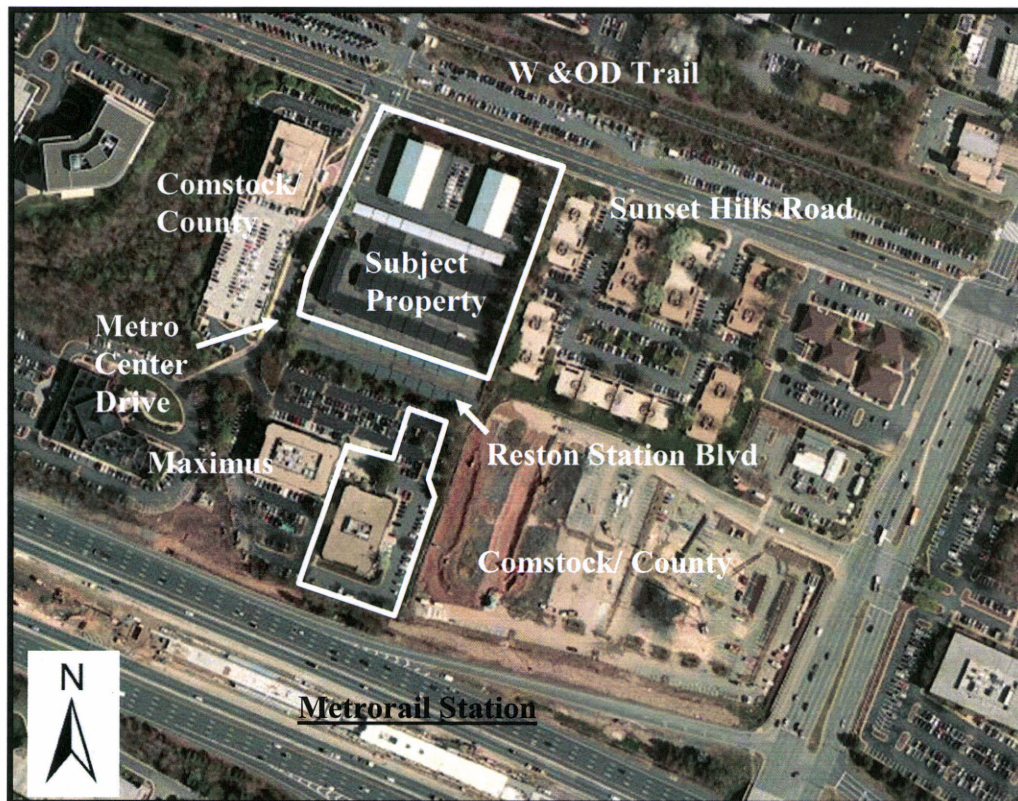
The applicant's draft proffers, affidavit and statement of justification are included in Appendices 1, 2, and 3, respectively.

LOCATION AND CHARACTER**Site Description:**

The site is located west of Wiehle Ave, south of Sunset Hills Road and north of the Dulles Toll Road. It lies within Sub-unit G-4 of the Reston Herndon Suburban Center of the Comprehensive Plan. The property consists of seven parcels totaling 5.507 acres and is zoned to the I-4 (Medium Intensity Industrial) District. The northern portion of the property (known as the RPM & M property) is developed with an 88,000 square foot mini-warehouse/self-storage facility and 32,000 square feet of flex industrial uses (50 percent office and 50 percent warehouse). The southern portion of the property is developed with a 30,000 square foot office building. Access to the north and south portion of the site is provided by driveways from Metro Center Drive. The Washington and Old Dominion (W&OD) regional trail is located on the north side Sunset Hills Road,

immediately to the north of these properties. Graphic 2 highlights the existing development on an aerial map.

Graphic 2: Existing Development



The chart below provides the land use, zoning and current plan for surrounding properties.

Surrounding Area Description:

DIRECTION	USE	ZONING	PLAN
North	Sunset Hills Road and Washington and Old Dominion (W&OD) Trail Office and Retail	N/A I-5	N/A Mixed-Use
South	Dulles Toll Road Office and Retail (Maximum)	N/A I-4	N/A Mixed-Use
West	Office (and recently approved residential associated with RZ 2009-HM-019) (Comstock)	PDC	Mixed-Use
East	Office	I-4	Mixed-Use
	Office Condos Mixed Use associated with RZ 2009-HM-019) (Comstock)	I-4 PDC	

BACKGROUND

No previous rezoning applications apply to the site.

COMPREHENSIVE PLAN PROVISIONS (Appendix 4)

Plan Area: III
Planning District: Upper Potomac Planning District
Planning Sector: Sub Unit G-4 Reston Herndon Suburban Center
Plan Map: **Mixed-Use**
Plan Text:

Fairfax County Comprehensive Plan, Area III, 2011 edition, the Reston Herndon Suburban Center, as amended through June 19, 2012, Sub-Unit G-4, Land Use Recommendations, pages 65, 66 and 67:

"Rail-oriented Residential Mixed-Use Option – At such time as a funding agreement for rail, as described in the Land Use section in the Suburban Center Areawide Recommendations, is reached, mixed-use development up to a 2.5 FAR may be considered for the 17 acres within Sub-unit G-4 located closest to the rail station, provided that the mix of uses includes a residential component and a non-residential component that includes office, hotel, and support retail. The residential component should be at least 40 percent but no more than 75 percent of the total gross floor area of the development. Some combination of office, hotel and support retail uses may comprise 25-60 percent of the total gross floor area of the development with the office component comprising no more than 40 percent of the total. In addition, the following conditions should be met:

- Substantial parcel consolidation within the sub-unit should be achieved.
- The site should be adjacent to the rail station and provide direct pedestrian access to the station or be a part of a larger project, approved under a consolidated site plan or as concurrent applications, that provides direct pedestrian access to the station.
- Grade-separated pedestrian links to the rail station are encouraged.
- A quality site layout should be provided with consolidated vehicular access to the site, parking garages that do not front on pedestrian areas, and shared parking to the maximum extent possible.
- Building heights should be limited to 140 feet.
- Transportation Demand Management measures as discussed on page 6 should be utilized to the maximum extent possible.
- Retail uses located on the ground floor should have direct public access and display windows oriented to pedestrian walkways, and where appropriate to vehicular drives and/or streets.
- A second point of access (preferably to Sunset Hills Road) to this Sub-unit G-4 should be provided."

ANALYSIS

Conceptual Development Plan and Final Development Plan (CDP/ FDP) (Copy at front of staff report)

Title of CDP/ FDP: Rezoning Plan and CDP/FDP for Veatch Property

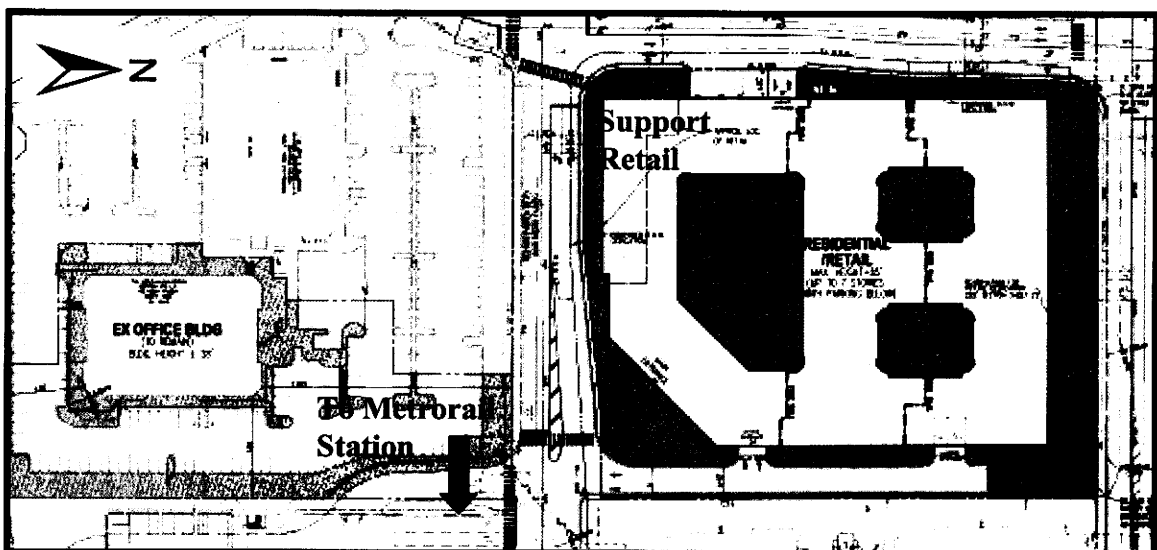
Prepared By: Urban Ltd

Original and Revision Dates: April 23, 2010, and revised through February 7, 2013.

The CDP/ FDP consists of 31 sheets. See Sheet 2 of the CDP/ FDP for a sheet index. The following features are depicted on the CDP/ FDP:

Site Layout: The applicant proposes to construct an 85 foot tall (7-story) mid-rise, multifamily residential building consisting of approximately 417,257 gross square feet, 421 units, and approximately 10,000 square feet of support retail on the northern portion of the site and to retain the existing 30 foot tall office building with approximately 30,608 square feet on the southern portion. Parking for the multifamily residential building is proposed to be located in two to three levels below the building. The existing surface parking around the perimeter of the existing office building would remain. Graphic 3 highlights the general layout of these two buildings.

Graphic 3: Proposed Layout



As shown in Graphic 3, Reston Station Boulevard separates the multifamily residential and office buildings. The multifamily residential building is proposed to contain approximately 10,000 square feet of support retail located in the southwest corner of the building and along Reston Station Boulevard. Four open space

areas are provided with the residential building. Sheet 11 shows three outdoor courtyard areas in the center of the residential building, which will include a swimming pool, bath house, walking paths and active recreation area. Sheet 12 depicts a fourth open space area which will be located in front of the building on the southeast corner along Reston Station Boulevard and accessible to the public. No new open space is proposed with the existing office building in the southern portion of the site. A new eight foot wide sidewalk along the south side of Reston Station Boulevard, which will connect to the Wiehle-Reston East Metrorail Station, will be provided with the Comstock/ Fairfax County redevelopment project to the east. Conceptual architectural elevations are provided on Sheets 13 through 13D of the CDP/FDP.

No changes are proposed to the existing office building layout on the southern portion of the property at this time. However, the applicant has proffered to redevelop the existing office building in a later phase to be consistent with, and complementary to, the general character of the multifamily residential building to the north to continue the high-quality, mixed-use, and transit-oriented development occurring with the Comstock/ Fairfax County redevelopment at the Wiehle-Reston East Metrorail Station (see phasing discussion below).

The overall FAR would be 1.86; with the residential with support retail building consisting of a maximum of 2.5 FAR and the existing office building retaining a maximum of 0.42 FAR, excluding bonus density associated with the provision of affordable dwelling units (ADU) and workforce dwelling units (WDU).

Phasing: Proffers 4 and 5 propose phasing for the redevelopment. The first phase includes the construction of the multifamily residential building and retention of the existing office building. Phase 2 anticipates that the office building may be the subject of a future CDPA, FDPA, PCA or other zoning action to redevelop with adjacent properties to the west or east. Should the applicant redevelop the existing office building, the applicant has proffered to integrate the redevelopment with the multifamily residential building to the north and the Comstock/Fairfax County mixed-use, transit-oriented development to the east.

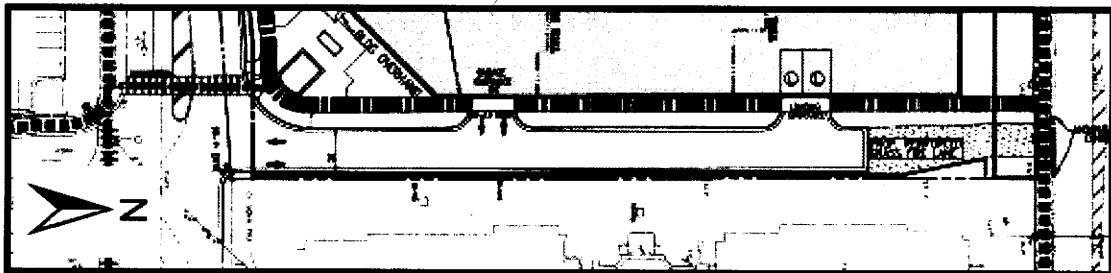
Roads, Right-of-Way, and Vehicular Access: Reston Station Boulevard is proposed to be constructed in association with the Comstock/ Fairfax County redevelopment project to the southeast. This roadway is expected to have a 5-lane cross section in the future when either the neighboring office condominiums redevelop or when construction is deemed necessary for traffic flow. The 5-lane road cross section will transition to a 4-lane road cross section in front of the subject property. The applicant has committed to dedicate all right-of-way necessary for the road and to construct the ultimate street width that would accommodate the future 5-lane to 4-lane transition. It should be noted that the proposed development does not generate the need for this improvement.

In addition, the applicant has proffered to reserve for future dedication to the Board of Supervisors, right-of-way up to 53 feet from the existing centerline of

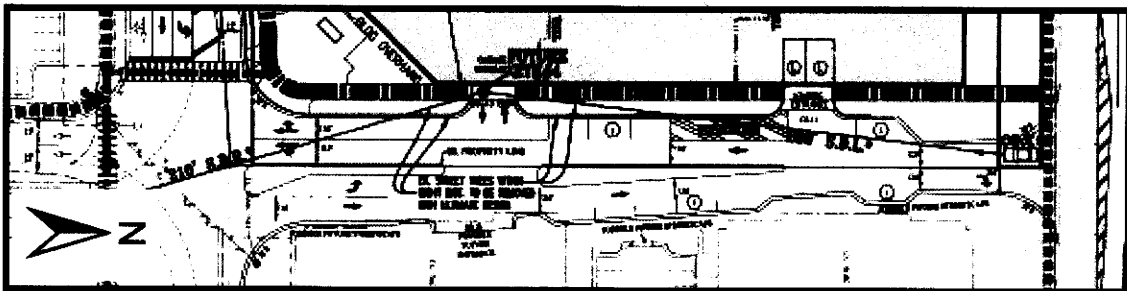
Sunset Hills Road, as shown on Sheets 2 and 6 of the CDP/FDP. At such time as the necessary engineering and funding exist to permit the widening of Sunset Hills Road and upon the written request of Fairfax County, the Applicant will also dedicate this right-of-way in fee simple to the Board of Supervisors for public street purposes.

Vehicular access to the multifamily building is proposed to be provided from Metro Center Drive on the west and from a new private driveway along the east side of the building. This new private driveway may be converted into a public road, when the adjacent property (office condominiums) to the northeast redevelops. Sheets 5A and 5B show interim and ultimate street sections for this new road, which are shown in Graphics 4 and 5 below.

Graphic 4: Interim Private Driveway

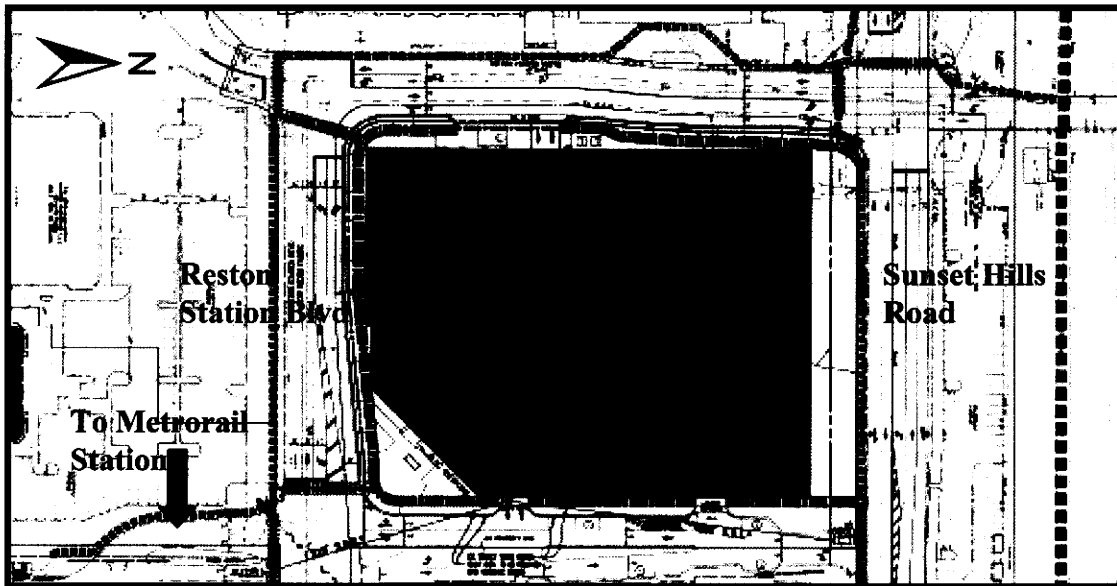


Graphic 5: Ultimate Public Street



The applicant has proffered to escrow additional funds to connect the new road to Sunset Hills Road. No changes to the vehicular access for the existing office building are proposed during Phase 1. The existing office building would continue to share an access point from Metro Center Drive with the existing Maximus office building to the west.

Streetscaping and Pedestrian Circulation: Sheets 5A and 5B of the CDP/FDP show the proposed pedestrian circulation pattern around the site leading to the Metrorail Station to the southeast and the W&OD trail to the north. Graphic 6 highlights the proposed circulation pattern.

Graphic 6: Pedestrian Circulation

As previously discussed, a private driveway located to the east of the proposed multifamily building is proposed as an interim condition until the adjacent office condominiums to the east redevelop and ultimately improves that driveway into a public road. In both cases, the applicant proposes to construct an eight foot wide sidewalk along the south, west and east sides of the proposed multifamily building. This sidewalk would connect to an existing four foot wide existing sidewalk located on the south side of Sunset Hills Drive (north of the multifamily building) and to an eight foot wide sidewalk on the south side of Reston Station Boulevard (which will be constructed with the Comstock/ Fairfax County redevelopment). In addition, the applicant proposes several other pedestrian improvements, which include the installation of new crosswalks on the southeast and southwest corners of the multifamily residential building. All of these improvements will be provided during the construction of Phase 1.

Open Space & Landscaping: A minimum of 20 percent open space is required in the PRM District and the applicant is committing to provide 20 percent open space at the completion of the project on both the north and south portions of the site. The applicant has also proffered to provide pedestrian amenities and seating areas within the courtyards in the center of the multifamily building and on the plaza on the southeast corner of the multifamily residential building site as shown on Sheets 11 and 12 of the CDP/ FDP. Landscaping would be provided as generally shown on Sheet 10 of the CDP/FDP. The Applicant has also proffered to provide public access easements for the entry plaza area and sidewalks

Residential and Bicycle Amenities: Sheets 11 and 12 of the CDP/ FDP show the proposed amenities for the multifamily residential building, which include a fitness center, pool, pergolas, fire pits, seating areas and a multi-use outdoor

recreation area of approximately 20,000 square feet in size. The applicant has also proffered to meet the minimum expenditure for on-site recreational facilities.

In addition to these facilities, the applicant has proffered to install secure bicycle storage sufficient to provide one visitor bicycle space for every 25 residential units, one long-term bicycle space for residents for every five residential units, and one visitor/employee bicycle space for every 5,000 square feet of secondary uses.

Parking Tabulations: The Zoning Ordinance requires 717 parking spaces for the multifamily residential building with 10,000 square feet of support retail. The applicant proposes to meet this requirement and provide the parking below the building. The applicant also proposes to continue to meet the required parking for the existing office building. No changes are proposed for the existing office building at this time. The proffers indicate that parking for all uses within the proposed development will be provided in accordance with the parking requirements of Article 11 of the Fairfax County Zoning Ordinance, as determined by DPWES. The maximum number of parking spaces for the residential units will be the minimum number of parking spaces required under Article 11 of the Zoning Ordinance. In addition, the applicant has reserved the right in the proffers to seek a parking reduction in the future based on proximity to the Wiehle-Reston East Metrorail Station.

Stormwater Management (SWM): The 5.507 acre subject property falls within the Colvin Run watershed. The stormwater management (SWM) narrative on Sheet 15 of the CDP/FDP indicates that stormwater from the proposed development on the subject property would drain to the west to an existing SWM pond (known as Reston Section 913). This pond currently outfalls to the north through a culvert system beneath a VDOT Park and Ride Lot (located to the north of the Comstock parcel and to the north of Sunset Hills Road) and ultimately leads to an existing wet pond on the Hidden Creek Golf Course. Pond 913 currently does not provide water quality control for the subject property.

The applicant proposes to provide SWM and BMP facilities for the residential building portion of the site only since no new construction on the existing office building portion is proposed at this time. For SWM quantity control, the applicant proposes to install underground detention vaults based on the Detention Method described in the Fairfax County PFM. The applicant has also submitted a separate request for a waiver for underground detention in a residential development (DPWES Waiver 2615-WPFM-003-1; see Proffer 17 and the conditions attached to SWM analysis in Appendix 12 of this Staff Report). For best management practices (BMP) and water quality control, the applicant has indicated that water quality controls would be provided on-site through proposed StormFilter BMP facilities that are shown on the CDP/FDP. The BMP (phosphorous removal) requirements for those facilities would be based on the requirements for redevelopment, calculated in accordance with PFM 6-0401.2B. Sheets 15 through 17 provide the SWM computations for the proposed detention and phosphorous removal facilities.

Residential Development Criteria and Transit-Oriented Design Guidelines

Fairfax County expects new residential development to enhance the community by fitting into the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on public facilities, being responsive to our historic heritage, contributing to the provision of affordable housing, and being responsive to the unique site specific considerations of the property. Fairfax County also seeks to accommodate future residential and employment growth and expand choices for residents and employees by encouraging transit-oriented development (TOD) as a means to achieve compact, pedestrian-oriented, mixed-use communities focused around existing and planned rail transit stations. For the complete Residential Development Criteria text and the Guidelines for Transit-Oriented Development, please see Appendix 5.

To avoid repetition and enhance readability, staff has combined the review of the Residential Development Criteria in the Policy Plan with the review of the TOD Guidelines in the Policy Plan, along with the staff analysis reflected in the agency memos found in the appendices of this report. The following review uses the Site Specific Comprehensive Plan Recommendations and the Residential Development Criteria as the format for the discussion.

Conformance with the Site Specific Comprehensive Plan Recommendations
(See also TOD Guidelines 1, 2, 4 and 16)

The subject property consists of 5.507 acres of the approximately 34-acre Land Unit G, Sub-unit G-4 of the Reston Herndon Suburban Center and Transit Station Area. The subject property is also located within a quarter mile of the planned Wiehle-Reston East Metrorail Station. The Comprehensive Plan provides an option for the development of the subject property for transit-oriented, mixed-use development up to 2.5 FAR for the 17 acres within Sub-unit G-4 located closest to the rail station, provided that the mix of uses includes both a residential component and a non-residential component that includes office, hotel and support retail.

Issue: Mix of Uses/Intensity of Development.

The applicant proposes to implement the Plan Option consistent with the Rail-oriented Residential Mixed-Use Option for Sub-unit G-4. This option recommends a mixed-use development up to a 2.5 FAR for the 17 acres closest to the Metrorail station, provided that the mix of uses includes a residential component and a non-residential component that includes office, hotel, and support retail. The residential component should be at least 40 percent but no more than 75 percent of the total gross floor area of the development. Some combination of office, hotel and support retail uses may comprise 25-60 percent of the total gross floor area of the development, with the office component comprising no more than 40 percent of the total. The proposed development includes a 417,257 square foot, 7-story multifamily residential building (421 units) and an existing 30,608 square foot, low-

rise office building on the subject property, resulting in a 91 percent residential to nine percent non-residential land use mix. Furthermore, the existing office portion of the development with a 0.42 floor area ratio is proposed to be redeveloped later in Phase 2, with a more intense office or other non-residential use and may be consolidated with adjacent development to be consistent with the Plan recommendation (that residential use not exceed 75 percent of the gross floor area). Staff feels that the ultimate build out of the development would be consistent with the Plan recommendation regarding the mix of land uses and would facilitate redevelopment of the area.

Residential Development Criteria 1: Site Design (See also TOD Guidelines 3, 6, and 14 in Appendix 5)

This criterion requires that the development proposal address consolidation goals in the plan, further the integration of adjacent parcels, and not preclude adjacent parcels from developing in accordance with the Plan. The development should provide for a logical design with appropriate relationships within the development.

Consolidation: *Developments should provide parcel consolidation in conformance with any site specific text and applicable policy recommendations of the Comprehensive Plan. Should the Plan text not specifically address consolidation, the nature and extent of any proposed parcel consolidation should further the integration of the development with adjacent parcels. In any event, the proposed consolidation should not preclude nearby properties from developing as recommended by the Plan.*

The Comprehensive Plan encourages consolidation of parcels for redevelopment. The applicant has consolidated seven contiguous parcels for a total of 5.507 acres. This consolidation will not preclude the development of any of the surrounding unconsolidated parcels from developing in conformance with the Plan.

Layout: *The layout should provide logical, functional and appropriate relationships among the various parts (e. g. dwelling units, yards, streets, open space, stormwater management facilities, existing vegetation, noise mitigation measures, sidewalks and fences); provide dwelling units that are oriented appropriately to adjacent streets and homes; provide convenient access to transit facilities; identify all existing utilities and make every effort to identify all proposed utilities and stormwater management outfall areas; and encourage utility collocation where feasible*

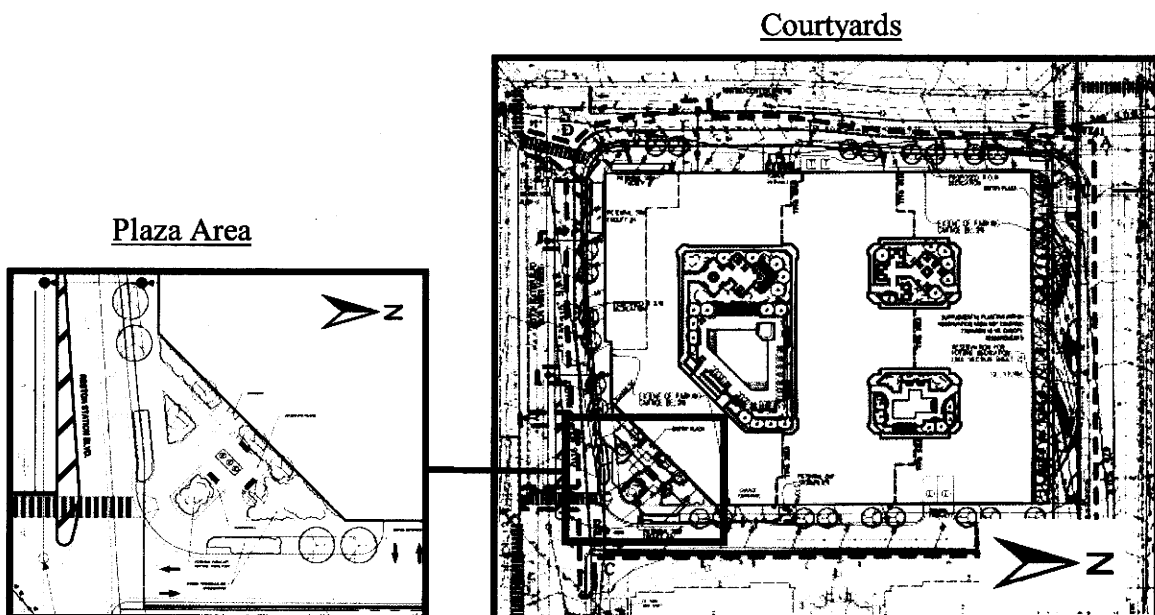
Reston Station Boulevard separates the proposed multifamily residential building from the existing office building. The 421-unit, multifamily residential building is proposed to contain approximately 10,000 square feet of support retail located in the southwest corner of the building and along Reston Station Boulevard. It will be constructed to the street edge in order to create an urban form to complement the Comstock/Fairfax County development to the east. No changes are proposed to the existing office building layout on the southern portion of the property are

proposed; however, this building could be redeveloped in the future. A total of 20 percent landscaped open space is proposed on both portions of the site. Pedestrian connections are provided for adequate internal circulation, and sidewalk and crosswalk improvements are also provided for safe crossings to the Metrorail Station to the east and the adjacent neighborhoods to the north and west of the subject property. Staff believes that, in general, the proposed layout is logical and functional.

Open Space, and Landscaping and Amenities: *Developments should provide usable, accessible, and well-integrated open space. Appropriate landscaping should be provided in parking lots, in open space areas, along streets, in and around stormwater management facilities, and on individual lots. Amenities such as benches, gazebos, recreational amenities, play areas for children, walls and fences, special paving treatments, street furniture, and lighting should be provided.*

A minimum of 20 percent open space is required for the subject property. The applicant is committing to provide 20 percent open space at the completion of the project on both the north and south portions of the site. This open space will include pedestrian amenities and seating areas located within the courtyards in the center of the multifamily building, as well as a plaza on the southeast corner of the multifamily residential building site as shown on Sheets 11 and 12 of the CDP/ FDP and Graphic 7 below.

Graphic 7: Proposed Courtyards and Plaza Area



In addition, streetscape improvements and plantings along Sunset Hills Road, Metro Center Drive, Reston Station Boulevard and the private driveway on the eastside are depicted on Sheet 10 of the CDP/FDP. The development plan shows an eight foot wide sidewalk with staggered shade trees to be provided along portions of Reston Station Boulevard, Metro Center Drive and the private

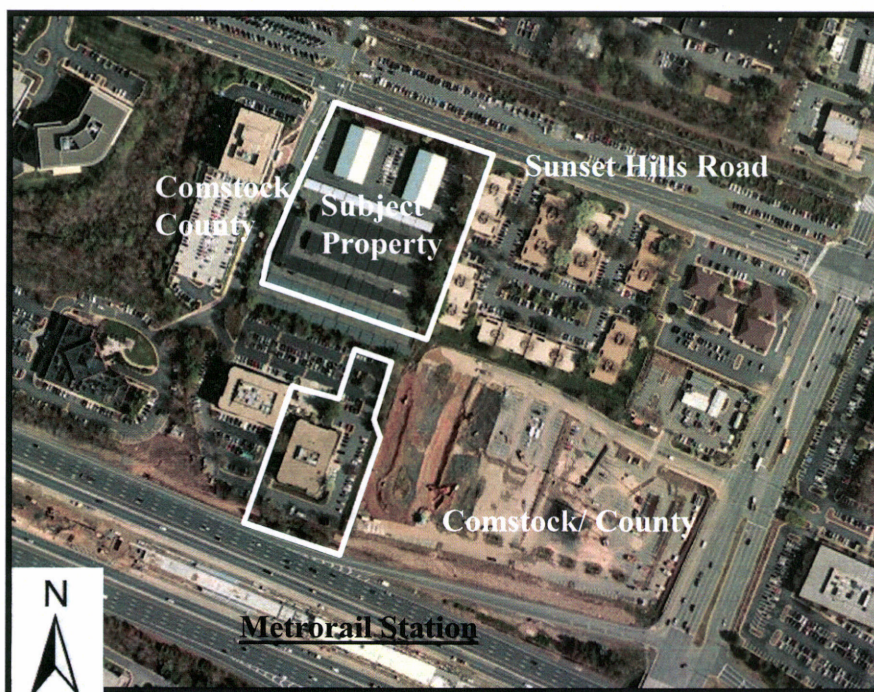
driveway. Benches, bike racks, trash receptacles and street lights are also proposed along these streets. A plaza area is also shown at the southeast corner of the multifamily residential building, north of Reston Station Boulevard, which would provide a respite area before accessing the Wiehle-Reston East Metrorail Station plaza to the southeast. The streetscape along Sunset Hills Road includes a four-foot wide sidewalk with staggered shade trees and shrubs/groundcover in landscape strips. In general, staff feels that this criterion has been met.

Residential Development Criteria 2: Neighborhood Context (See also TOD Guidelines 9 and 10 in Appendix 5)

While developments are not expected to be identical with the existing development within which they are to be located, this Criterion states that they should fit into the fabric of the community.

As discussed earlier in this report, the northern portion of the property (RPM & M property) is developed with an 88,000 square foot mini-warehouse/ self-storage facility and 32,000 square feet of flex industrial uses (50 percent office and 50 percent warehouse). The southern portion of the property is developed with a 30,000 square foot office building. Access to the north and south portions of the subject site is provided by driveways from Metro Center Drive. The W&OD regional trail is located on the north side Sunset Hills Road, immediately to north of these properties. Adjacent development includes office to the north and west and office condominiums to the east. The Comstock/ Fairfax County redevelopment at the Wiehle-Reston East Metrorail Station is located to the southeast of the property.

Graphic 8: Existing Development



The applicant has proposed a transit-oriented development (TOD) that would continue the implementation of the walkable, mixed-use neighborhood envisioned in Sub-unit G-4 of the Reston Herndon Suburban Center. Redevelopment of this sub-unit began with the adjacent Comstock/Fairfax County redevelopment project to the east. The subject property and the surrounding areas are located within the transit station area for the Reston-Wiehle Avenue station, which is an area where the Comprehensive Plan encourages higher intensity and mixed-use development. Staff feels the proposed redevelopment is consistent with that envisioned for a higher-intensity, more urban use of the land adjacent to transit. The applicant has provided: 1) appropriate streetscapes that incorporate landscaping and sidewalks that connect to all nearby properties as well as to the Wiehle-Reston East Metrorail Station; 2) open space areas with seating for pedestrians as they walk to and from the Metrorail Station along Reston Station Boulevard and Metro Center Drive; and 3) architectural features which reflect an urban character including below-grade parking. Staff feels that the proposal meets the requirements of this criterion.

Residential Development Criteria 3: Environment (Appendix 6 for Analysis and see also TOD Guideline 12 in Appendix 5)

This Criterion requires that developments respect the natural environment by conserving natural environmental resources, account for soil and topographic conditions and protect current and future residents from the impacts of noise and light. Developments should minimize off-site impacts from stormwater runoff and adverse water quality impacts.

Proposed stormwater management, noise attenuation measures, and green building practices are discussed below.

- 1) Stormwater Management/Best Management Practices (SWM/BMP): The 5.507 acre subject property, which is located in the Difficult Run watershed, is comprised almost entirely of impervious surface. The northern portion is currently developed as an industrial storage facility. The southern portion of the application is developed as a low-rise office building which will remain. The stormwater management narrative for this application indicates that the "net development" area of 3.62 acres is reduced because Reston Station Road Plan incorporated stormwater management for right of way land area under Site Plan #2615-SP-007.

The subject application proposes four underground stormwater vaults to meet the water quality and quantity control requirements for the subject site excluding the right-of-way cited above. The proposed facilities and the respective locations of those facilities are shown on Sheet #14 of the CDP/FDP. The narrative also indicates that the application qualifies as a redevelopment proposal under the County's Chesapeake Bay Preservation Ordinance (CBPO).

- 2) Outfall Analysis and Flood Impacts: According to the outfall narrative, runoff from the proposed development drains west to the existing Reston Section 913 SWM pond. The narrative also points out that a floodplain study for the Reston Section 913 pond showed the pond overtopping its banks with a 10 year storm event. Overflow from the pond is directed northward through a culvert under the VDOT Park and Ride lot and the W&OD Trail, where it outfalls ultimately in the Hidden Creek golf course (located to the north of the W&OD Trail). The applicant's consulting engineer has not been able to calculate the capacity of this culvert; however, there is no downstream erosion on the golf course and there is a defined channel leading from the golf course to the Colvin Run watershed.

Because the site of the proposed development will have limited areas of natural infiltration for stormwater runoff, staff is concerned that the applicant has not fully demonstrated at this time that the site will be protected from future flooding impacts. Neither the development plan, nor the proffers provide specific information and commitment that the proposed development conforms to Comprehensive Plan's guidance to "(m)inimize the exposure of new development to the potential of flood impacts." Staff finds this uncertainty problematic because the 2001 flood study, which modeled the existing 913 SWM pond, found the 10-year storm event overtopping Sunset Hills Road.

No low impact development best management practices are shown on this plan. Low impact development (LID) measures improve water quality, reduce runoff from the site and assist in protecting downstream receiving channels. Though staff has encouraged the applicant to identify and propose appropriate LID measures to complement the existing and proposed facilities, none are proposed at this time.

These concerns are further discussed in the stormwater analysis section later in this report. The adequacy of SWM/BMP facilities and outfall will be subject to review and approval by the Department of Public Works and Environmental Services (DPWES) at the time of site plan review.

- 3) Transportation Generated Noise: The subject property may be affected by traffic generated noise. A noise study has not yet been performed for the subject property to determine noise impact levels for existing and future conditions. However, the applicant has a proffer to provide a noise study in support of achieving the Plan recommended noise attenuation level of no more than 45 dBA for interior areas of the proposed residential building and 65 decibels for outdoor recreation areas. This study will be submitted at the time of site plan submission and it will include recommendations for noise mitigation. To be consistent with other noise studies reviewed and approved by county staff, the noise study should include projected future road improvements, traffic volume conditions projected at least 20 years into the future and an acoustical consultant's recommendations for mitigating the noise levels projected to exist at the time of the study. The noise model used to project exterior noise impacts

should be either: (1) the model that, at the time of submission of the acoustical study, is used by the Virginia Department of Transportation to model highway noise impacts; or (2) an alternative model approved by the Environment and Development Review Branch of the Department of Planning and Zoning. In addition to the noise study, the applicant proffered that no residential unit would be established in areas projected to be impacted by noise levels greater than 75 dBA.

- 4) **Green Buildings:** The Policy Plan incorporates guidance in support of the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. The subject property is proposing to develop under a Comprehensive Plan option in the Reston Herndon Suburban Center and is therefore subject to the Plan's green building policy. As such, the development is expected to attain green building certification. The applicant is proposing three green building certification options (NAHB using the Energy Star Qualified Homes path for energy performance, LEED New Construction, and LEED for Homes Multifamily Mid Rise) that are acceptable to staff. The applicant has also identified Earthcraft certification as a possible option; staff has requested additional information to ensure that Earthcraft is a viable green building certification for this development.
- 5) **Sustainable Energy:** No sustainable energy commitment has been provided at this time, but the applicant is encouraged to study the feasibility of providing electric vehicle (EV) charging stations for this development and to install EV ready infrastructure. The applicant has revised the proffers to provide at least one electric vehicle charging station, and ancillary wiring and infrastructure necessary to increase the number of electric vehicle charging stations, within the parking garage for the residential building.

Residential Development Criteria 4: Tree Preservation and Tree Cover Requirements (Appendix 7 for Analysis and see also TOD Guideline 12 in Appendix 5)

This Criterion states that all developments should be designed to take advantage of existing tree cover and developed appropriately to disturb as little existing tree cover as possible, including the extension of utility improvements to the site.

The subject property is mostly an impervious site. This imperviousness will be reduced with the addition of a significant streetscape with landscaping (as shown on Sheet 10 of the CDP/FDP). For trees not planted within an 8-foot wide minimum planting area, or that do not meet the minimum planting area required by the PFM, the applicant has proffered to provide details for alternative designs showing how the proposed planting spaces will provide for normal tree growth and performance by installing structural cells or an equivalent solution acceptable to Urban Forest Management (UFM.)

In addition, the applicant has proffered to conform to the limits of clearing and grading as shown on the CDP/FDP. Additionally, in response to comments from Urban Forest Management, the applicant has committed to replace any tree that is damaged, such that 30 percent or more of the crown is no longer viable, as a result of maintenance to the stormwater management facilities and storm sewer pipes on the property with a tree of equal or greater size.

Urban Forest Management has reviewed the application and indicated that the plant pallet on the CDP/FDP should be revised during site plan review to remove some tree types that cannot be credited for tree canopy. UFM also indicated that the proffers should include language to ensure that planting strips meet the minimum requirements of the Public Facility Manual (PFM). The applicant has provided these commitments. Staff feels that Development Criteria 4 has been adequately addressed.

Residential Development Criteria 5: Transportation (Appendix 8 for Analysis; see also TOD Guideline 7, 8 and 9 in Appendix 5)

All rezoning applications for residential development should implement measures to address planned transportation improvements. Applicants should offset their impacts to the transportation network. Accepted techniques should be utilized for analysis of the development's impact on the network. Residential development considered under these criteria will range widely in density and, therefore, will result in differing impacts to the transportation network. Some criteria will have universal applicability while others will apply only under specific circumstances. Regardless of the proposed density, applications will be evaluated based upon the following principles, although not all of the principles may be applicable.

Overview: The applicant has addressed all critical transportation issues identified in the Comprehensive Plan in this application. In fact, the applicant has gone above and beyond those critical concerns in an effort to create a better urban environment for those living and working in close proximity to a Metrorail station. A few of the most significant contributions are outlined below.

- Reston Station Boulevard: This roadway is expected to have a 5-lane cross section in the future when either the neighboring office condominiums redevelop or when construction is deemed necessary for traffic flow. This 5-lane cross section will transition to a 4-lane cross section on the south side of the residential building. The applicant has committed to dedicate all right-of-way necessary and construct the ultimate street width that accommodates the future 5-lane to 4-lane transition despite the fact that their own site trips do not dictate this need.
- Private street on the eastern side of the property: In examining the area as a whole, County staff suggested the addition of a street along the eastern side of this property would help assemble a street grid, which would be more conducive to alternative transportation modes. Specifically, this street

would not only serve the subject property, but provide another locally serving connection to access the Metrorail station as well as the surrounding properties. In response to staff's request, the applicant has laid out a possible ultimate design of this future road on sheet 5B of the CDP/FDP, which would allow right-in/right-out access from Sunset Hills Road as well as a full access connection to Reston Station Drive. The applicant has also proffered to build an interim private street (shown on Sheet 5A in the CDP) that will serve their residential loading and garage access in the short term. This private street will not connect to Sunset Hills Road in this interim design, but will be used as a half-section of the ultimate road design. For those portions of this road that the applicant is not building (connection to Sunset Hills Road), the applicant has proffered funds that can be applied to the construction of an access to Sunset Hills Road.

- TDM: The applicant has proffered to design a TDM program to meet aggressive trip reduction goals of 40 percent in the am and pm Peak Hours. In response to staff comments, the applicant has agreed to:
 - 1) Substantially increase the contribution to the Remedy Fund in lieu of a large contribution to a Penalty Fund so that money would be immediately available and accessible to enhance the TDM program in the event that goals are not being met.
 - 2) Monitor their TDM program with annual traffic counts and surveys every three years. This is a significant improvement from monitoring programs in the past. Annual traffic counts will enable the county to review the status of transportation in the area and identify future concerns or areas for improvement.
 - 3) Pay a \$75 per day non-compliance fee for failure to submit their annual report by the date outlined in the proffers. Assuring that TDM programs are operating as proffered is very important to the County, and the annual reports provide information on the TDM programs, and commuter behavior.
 - 4) Commit to a detailed implementation plan for the TDM program that will also provide the flexibility to modify the program both to address changes necessary during the life of the project.

While the applicant has made a commendable effort in providing the previous items, one small issue remains that will ideally be corrected with their final submission. This is:

- The applicant has not committed to modifying or altering the existing or future signals with this development. Given the road design shown in the CDP, staff believes that such modification will be necessary and recommends that the applicant commit to provide any signal changes/ modifications/ additions necessitated by their development. This commitment should include any additional signal heads, signal timing changes, relocation of signal heads on the mast arms and even

potentially the addition of a new mast arm if needed at the intersection of the new private street and Reston Station Blvd.

Staff continues to work with the applicant to address the second issue to ensure that any required signal modifications will be provided by the applicant.

Overall, staff feels that Development Criteria 4 has been adequately addressed. Appendix 8 contains VDOT's comments, which have been addressed with revised plans and proffers.

Public Facilities Analyses (Appendices 9 through 15, See also Residential Development Criteria 6 and TOD Guideline 15 in Appendix 5)

Criterion 6 states that residential developments should offset their impacts upon the public facility systems (i.e. schools, parks, libraries, police, fire and rescue, stormwater management and other publicly owned community facilities.) Impacts may be offset by the dedication of land, construction of public facilities, contribution of in-kind goods, services or cash earmarked for those uses, and/or monetary contributions to be used toward funding capital improvement projects.

Fire and Rescue (Appendix 9)

The subject property would be serviced by the Fairfax County Fire and Rescue Department Station #425, Reston. The requested rezoning currently meets fire protection guidelines.

Fairfax County Water Authority (Appendix 10)

The subject property is located within the Fairfax Water service area. Adequate domestic water service is available to the site from existing water mains located at the property. Relocation of water facilities and additional water main extensions may also be required.

Environmental & Site Review Division, Stormwater Management, DPWES (Appendices 11 and 12 for Analysis; see also TOD Guideline #12 and Residential Development Criteria #3 and 6 in Appendix 9.)

As previously discussed, the 5.507 acre subject property falls within the Colvin Run watershed. The stormwater management (SWM) narrative on Sheet 15 of the CDP/FDP indicates that stormwater from the proposed development on the subject property would drain to the west to an existing SWM pond (Reston Section 913). This pond currently outfalls to the north through a culvert system beneath a VDOT Park and Ride Lot (located to the north of the Comstock parcel and to the north of Sunset Hills Road) and ultimately leads to an existing wet pond on the Hidden Creek Golf Course. Pond 913 currently does not provide water quality control for the subject property.

The applicant proposes to provide SWM and BMP facilities for the residential building portion of the site since no new construction on the existing office building portion of the subject site is proposed at this time. For SWM quantity control, the applicant proposes to install underground detention vaults based on the Detention Method described in the County PFM and has submitted a separate request for a waiver for underground detention in a residential development (DPWES Waiver 2615-WPFM-003-1; see Proffer 17 and the conditions attached to SWM analysis in Appendix 12 of this Staff Report). For BMP and water quality control, the applicant has stated that water quality controls will be provided on-site through proposed StormFilter BMP facilities that are shown on the CDP/FDP. The BMP (phosphorous removal) requirements for those facilities will be based on the requirements for redevelopment, calculated in accordance with PFM 6-0401.2B. Sheets 15 through 17 provide the SWM computations for the proposed detention and phosphorous removal facilities.

DPWES staff reviewed the application and provided comments within two basic elements.

- 1) *Stormwater Detention*: With regard to the waiver request for the proposed underground detention vaults, 2615-WPFM-003-1, DPWES recommends that the Board approve the waiver subject to conditions dated October 9, 2012, which are contained in Appendix 12. In addition, the applicant proffered to execute an agreement with the County in a form satisfactory to the County Attorney providing for the perpetual maintenance of all stormwater management facilities. With this proffer and the imposition of the development conditions, staff feels that this comment is addressed.
- 2) *Outfall*: The CDP/FDP indicates that the PFM requirements for adequate outfall would be met using the Detention Method, and shows possible locations and the approximate volumes and sizes of off-line, gravity-drained, underground detention vault(s.) Per PFM 6-1306.3H, the required access points for these vaults are shown, along with proposed overhead ceiling heights, to demonstrate that sufficient space will be provided for required maintenance activities and equipment. In addition, the narrative indicates that the applicant may consider alternative methods to meet the outfall requirements, subject to DPWES approval at the time of site plan.

In general, staff feels that the proposal meets stormwater criteria in Development Criterion 6 provided that the highlighted concerns are addressed at site plan review.

Sanitary Sewer Analysis (Appendix 13)

The property is located in the Colvin Run Watershed, and would be sewered into the Blue Plains Treatment Plant. Adequate sanitary sewer capacity is available from an existing 8-inch line located on the property.

Fairfax County Public Schools (Appendix 14)

The proposed development would be served by Sunrise Valley Elementary School, Langston Hughes Middle School and South Lakes High School. Langston Hughes Middle School and South Lakes High School are projected to be over capacity by the 2017-2018 school year. The total number of students generated by this development is anticipated to be 36: 20 elementary, five middle and 11 high school students. An appropriate contribution to offset the school impact of the proposed development would be \$337,608 (35 students X \$9,378 per student.) The applicant has proffered a contribution of \$816 per multi-family unit to DPWES for transfer to the Fairfax County School Board with such sum to escalate from the date of rezoning approval based on Section 15.2-2303.3 of the Code of Virginia. This yields \$343,536, based on the 421 units shown on the CDP/FDP, which is slightly higher than Staff's request.

Fairfax County Park Authority (Appendix 15)

According to Fairfax County Park Authority calculations, the proposed development will add approximately 825 new residents to the current population of the Hunter Mill Magisterial District. The applicant proposes to provide a fitness center, pool, pergolas, fire pits, seating areas and a multi-use outdoor recreation area for the proposed residential building. Based on Sections 6-110 and 16-404 of the Zoning Ordinance, a contribution of \$1,700 per non-affordable dwelling unit (ADU) is required for outdoor recreational facilities to serve the development population. The applicant has proffered to expend a minimum of \$1,700.00 per market-rate residential unit on such recreation facilities. Prior to final bond release for any site plan including a residential building, the balance of any funds not expended on-site would be contributed to the Fairfax County Park Authority for the provision of recreation facilities located in proximity to the Property. In addition, the applicant also proffered to contribute \$1,786 per Residential Unit (approximately \$751,906 based on the number of the units shown on the CDP/FDP) to the Fairfax County Park Authority for public parks to meet the County Fair Share Contribution Policy to offset impacts to nearby parks. All issues have been resolved.

Affordable Housing (see Residential Development Criteria 7 and TOD Guideline 5 in Appendix 5)

This Criterion states that a goal of Fairfax County is to ensure an adequate supply of housing for low- and moderate-income families, those with special accessibility requirements, and those with other special needs. This Criterion may be satisfied by the construction of units, dedication of land, or by a contribution to the Housing Trust Fund.

The Comprehensive Plan specifically encourages the provision of workforce housing as part of the residential component of the development. The applicant is proposing to provide 5 percent of the total units as Affordable Dwelling Units

(ADUs), which would be administered pursuant to the ADU Ordinance, regardless of whether the proposed multifamily residential building is exempt from the requirement to provide ADUs pursuant to Section 2-803 of the Zoning Ordinance. In addition, the applicant proposes to provide 7 percent of the residential units as Workforce Dwelling Units (WDUs). These WDUs would be administered as set forth in the Board of Supervisors' Workforce Dwelling Unit Administrative Policy Guidelines dated October 15, 2007. As such, staff believes that this criterion has been met.

Heritage Resources (Development Criterion 8)

This Criterion requires that developments address potential impacts on historical and/or archaeological resources through research, protection, preservation, or recordation.

No potential for historic or archaeological resources has been identified on the subject property.

ZONING ORDINANCE PROVISIONS (See Appendix 16)

Conformance with PRM District Regulations

PRM District

The PRM District is established to provide: 1) for high density, multifamily residential developments (with a minimum density of 40 dwelling units per acre and a maximum FAR of 3.0); and 2) for mixed-use developments consisting primarily of multifamily residential development (with a minimum density of twenty (20) dwelling units per acre) with secondary office and/or other commercial uses. The Zoning Ordinance also states that PRM Districts should be located in those limited areas where such high density residential or residential mixed-use development is in accordance with the adopted Comprehensive Plan, such as within areas delineated as Transit Station Areas, and Urban and Suburban Centers. The PRM District regulations are designed to promote high standards in design and layout, to encourage compatibility among uses within the development and integration with adjacent developments, and to otherwise implement the stated purpose and intent of the Ordinance.

Sect. 6-406 of the Zoning Ordinance sets forth the use limitations for the PRM District. Below is a list of the use limitations for all developments in the PRM District and a discussion of how the proposed development addresses them:

- *Meet the standards of 16-101 (General Standards) and 16-102 (Design Standards).* This issue is discussed below under the headings, "Section 16-101, General Standards" and "Section 16-102, Design Standards."

- *Provide a CDP and FDP in accordance with specific urban design requirements and streetscape plans.* The applicant has proffered to develop the site according to a CDP/FDP, which includes detailed landscaping, an urban streetscape, building elevations, transportation improvements and pedestrian amenities that are expected in a mixed-use, transit-oriented development.
- *Multifamily dwellings shall be the principal residential type. Single family attached dwellings may be allowed at the periphery of the development to provide a transition from the high density development to adjacent lower density development.* Multifamily dwellings are the principal residential type in the PRM District and the subject property.
- *Be designed to be harmonious with neighboring properties.* As noted earlier in this report, staff believes that the proposed development has been designed to be harmonious with the neighboring properties. In order to minimize impact on these neighboring properties, the Comprehensive Plan language for the site specifically recommends a high-density, mixed-use development as an option for this property. The site layout has been designed to provide mixed-use development and encourages use of existing and proposed transit. Phase 1 includes the construction of the multifamily residential building and retention of the existing office building. The residential building would be located close to the street to create quality public space, which will help enhance the pedestrian experience. Phase 2 anticipates that the office building may be the subject of a future CDPA, FDPA, PCA or other zoning action to redevelop with adjacent properties to the west or east. Should the applicant redevelop the existing office building, the applicant has proffered to integrate the redevelopment with the multifamily residential building to the north and the Comstock/Fairfax County mixed-use, transit-oriented development to the east.). As noted previously in this report, at a minimum, a total of 20 percent open space will also be provided within the subject property. Staff finds that the proposed design integrates well with the adjacent transit-oriented development (Comstock/ Fairfax County) to the east, and preserves the opportunity to integrate future re-development of neighboring properties.
- *Use the standards of Article 9 to evaluate uses categorized as Special Exception uses.* Any of the uses not established in the proffers and allowed in the District by-right may be permitted with approval of a final development plan amendment, special exception or special permit, as applicable.
- *Have 50 percent of the total gross floor area devoted to multifamily residential use.* With a proposed minimum of 90 percent multifamily residences in the PRM District, the proposed development meets this use limitation.
- *Prohibit drive-through facilities.* Drive-through facilities would be prohibited under the proposed proffers.

- *Provide parking in accordance with Article 11, including possible parking reductions based on hourly parking accumulation characteristics of the various uses and/or proximity to a mass transit station, with the intention that a substantial portion of the required parking be provided in parking structures.* The required off-street parking would be provided either underground or as existing surface parking near the existing office building. The maximum number of parking spaces for the residential units will be the minimum number of parking spaces required under Article 11 of the Zoning Ordinance. In addition the proffers reserve the right of the applicant to seek a parking reduction in the future based on proximity to the Metrorail Station.
- *Provide signage in accordance with Article 12.* The applicant has proffered to provide signage in accordance with Article 12 or pursuant to a Comprehensive Sign Plan application approved in accordance with the Zoning Ordinance.
- *Comply with the performance standards of Article 14, relating to lighting and noise.* The applicant has proffered to meet or exceed these performance standards.

Lot Size Requirements (6-407)

Section 6-407 requires that all developments in the PRM District have a minimum district size of two acres. The subject site is 5.507 acres in size and meets this requirement.

Maximum Density (6-408)

Par. 2 of Sect. 6-408 states that the maximum floor area ratio for the PRM District is 3.0. The overall FAR would be 1.86 FAR, with the residential with support retail building containing a maximum of 2.5 FAR and the existing office building retaining a maximum of 0.42 FAR, excluding bonus density associated with the provision of affordable dwelling units (ADU) and workforce dwelling units (WDU).

Open Space (Sect. 6-209 and Sect. 6-409)

The current open space regulations require twenty percent of the gross area in the PRM District be landscaped open space. In addition, recreational amenities are required in accordance with the Planned District regulations including pools and indoor exercise facilities (minimum expenditure of \$1,700 per unit).

According to the CDPA/FDPA, 20 percent open space will be provided on the subject property. As discussed earlier in this report, this open space will consist of parks, plazas and open space areas, as well as courtyard recreational areas. In addition, the applicant has agreed to proffer to expend a minimum of \$1,700 per market rate multifamily residential unit on site. These facilities will include a fitness center, pool, pergolas, fire pits, seating areas and a multi-use outdoor recreation area. Staff finds that the application has met both elements of the PRM open space requirements.

Article 16, Sects. 16-101 and 16-102

All planned developments must meet the general standards specified in Section 16-101 of the Zoning Ordinance.

General Standard 1 requires substantial conformance with the Comprehensive Plan. As previously discussed, the Plan recommends a mixed-use development up to a 2.5 FAR for the 17 acres closest to the Metrorail station provided that the mix of uses includes a residential component and a non-residential component (which includes office, hotel, and support retail). According to the Plan, the residential component should be at least 40 percent but no more than 75 percent of the total gross floor area of the development. The Plan also notes that some combination of office, hotel and support retail uses may comprise 25-60 percent of the total gross floor area of the development with the office component comprising no more than 40 percent of the total. The proposed development includes a 417,257 square foot (421 units), 7-story multifamily residential building and an existing 30,608 square foot, low-rise office building on the subject property, resulting in a 91 percent residential to 9 percent non-residential land use mix. Furthermore, the existing office portion of the development is proposed to be redeveloped later in Phase 2, with a more intense office or non-residential use and may be consolidated with adjacent development to be consistent with the Plan recommendation (that residential use not exceed 75 percent of the gross floor area). Thus, staff feels that the ultimate build out of the development would be consistent with the Plan recommendation regarding the mix of land uses and generally meets the intent of the site specific Plan text for the recommended mix of uses, building heights, parcel consolidation, streetscaping, and architecture.

General Standard 2 requires that the design of the proposed planned development result in a more efficient use of the land and in a higher quality site design than could be achieved in a conventional district. The site is currently zoned I-4 and a conventional residential district would not permit a mixed-use, transit-oriented development envisioned in the Plan. The Comprehensive Plan recommends mixed-use development with a residential component, with a maximum FAR of 2.5. Implementation of this recommendation would require approval of a "P" District, as neither the residential component of the mix, or the maximum FAR could be achieved in a conventional district. Staff feels that the proposed development provides an opportunity for high quality site design and that a PRM District is an appropriate zoning designation for this site.

General Standard 3 requires that the design of the proposed development protect and preserve the natural features on the site. Since the majority of the site is impervious surface and developed with an office use and a mini-warehouse/ self-storage facility, this standard is not applicable with this redevelopment.

General Standard 4 requires that the proposed development prevent substantial injury to the use and value of the existing surrounding development. In staff's

view, the proposed development will not prohibit the redevelopment of any of the adjacent properties in conformance with the Comprehensive Plan recommendations. The applicant has provided much needed right of way for the creation of a urban street near the Metrorail Station and has agreed to construct a private driveway along the eastside of the multifamily residential building that may be converted into a public street leading to the Metrorail Station when the adjacent property to the east redevelops. These improvements will help facilitate future redevelopment of this area. Staff finds that the proffers facilitate future consolidations with the surrounding development, which satisfy this standard.

General Standard 5 requires that the planned development be located in an area where transportation, police, fire protection and other public facilities are available and adequate for the proposed use. As previously discussed, staff feels that generally, there are adequate facilities near the subject property and that the proffers provide additional commitments to address transportation needs.

General Standard 6 requires that the planned development coordinate linkages among internal facilities and services as well as connections to major external facilities. As previously discussed in the Land Use and Transportation Analysis, the applicant has made several commitments to facilitate the integration of necessary road improvements and pedestrian connections to provide safe access to the surrounding uses and to the Metrorail Station. In staff's opinion, this standard has been met.

All planned developments must meet the design standards specified in Section 16-102 of the Zoning Ordinance.

Par. 1 states that, at the peripheral lot lines, the bulk regulations and landscaping and screening for the proposed development should generally conform with the provisions of the most comparable conventional district. This application most closely resembles the R-30 District. The table below compares the proposed development to the requirements of the R-30 District.

Bulk Standards (R-30)		
Standard	Required	Provided
Front Yard	25° ABP, but not less than 20 feet. (ABP = 40 ft for 85 foot tall building and 14 ft for a 30 foot tall building)	Minimum of 16.5 ft for the residential building and 200 ft for the existing office building along Reston Station Boulevard.
Side Yard	25° ABP, but not less than 10 feet. (ABP = 40 ft for 85 foot tall building and 14 ft for a 30 foot tall building)	Minimum of 16.5 ft for residential building and 10 ft for the office building
Rear Yard	25° ABP, but not less than 25 feet.	Minimum of 16.5 ft for residential building and 70 ft for the office building

Bulk Standards (R-30)		
Building Height	150 feet subject to an increase permitted by Special Exception	Maximum 85 ft for residential building and 30 ft for the office building

While the proposal does not meet the bulk standards of the R-30 District, staff does not find the proposed setbacks to be problematic. As previously noted, the subject property is located within a quarter mile of the Reston Wiehle-Reston East Metrorail Station in the Hunter Mill District, which is planned for mixed-use development up to a 2.5 FAR. The Plan seeks to create an urban form closest to the Metro station and the proposed setbacks are in keeping with this recommendation. Furthermore, as discussed earlier in this report, staff believes that the proposed layout will have no adverse impact on the abutting properties.

Par. 2 states that open space, parking, loading, sign and other similar regulations shall have application in all planned developments. The application includes 20 percent open space, which meets the open space requirement for the PRM District. In addition, the applicant has proffered to provide parking in accordance with the Zoning Ordinance parking requirements, for all uses within the proposed development. The maximum number of parking spaces for the residential units will be the minimum number of parking spaces required under Article 11 of the Zoning Ordinance, which furthers Plan Policy to reduce the number of vehicles near the Metrorail Station. Finally, the applicant has reserved the right in the proffers to seek a parking reduction in the future based on proximity to the Metrorail Station. With the exception of the requested modification of the loading requirement described below, all other applicable Zoning Ordinance provisions have been satisfied.

Par. 3 states that street systems should be designed to generally conform to the provisions of the Zoning Ordinance and should offer convenient access to mass transportation, recreational amenities and pedestrian access. As discussed previously, the applicant proposes a series of transportation improvements associated with this development, which will facilitate the creation of a street grid within the transit station area. Therefore, staff finds that this standard has been satisfied. through the proposed transportation improvements associated with the development. Pedestrian access to the Metrorail station would be provided through a series of proposed sidewalks shown on the CDP/FDP and the applicant has proffered to provide public access easements.

Waivers/Modifications:

Waiver of the 75-foot setback requirements for non-residential uses abutting principal arterial highways as required by Par. 1(B) of Section 2-414.1.B of the Zoning Ordinance to permit the existing building to remain approximately 70 feet from the Dulles Toll Road.

The applicant is requesting a waiver of the 75-foot yard regulation abutting the Dulles Toll Road frontage in order to allow the existing building, located approximately 70 feet from the Toll Road, to remain. As this building is existing, staff has no objection to this waiver. Furthermore, staff feels that this office building aids in the mitigation of some of the noise impacts to the streetscape along Reston Station Boulevard from the Dulles Toll Road and the railline.

Modification of the loading requirement in favor of the loading spaces provided on the CDP/FDP.

The applicant proposes 417,257 gross square feet of residential use with approximately 10,000 square feet of support retail on the northern portion of the site and 30,608 square feet of office on the southern portion, excluding bonus density associated with the provision of affordable dwelling units (ADU) and workforce dwelling units (WDU). The Zoning Ordinance requires five loading spaces for the residential building and two spaces for the office building. The applicant proposes to provide 3 loading spaces for the multifamily residential building, which the applicant believes to be adequate for the proposed residential use, and one loading space for the existing office building. Staff does not object to the waiver request since this request is consistent with other development in the area.

Waiver to locate underground facilities in a residential area (PFM Section 6-0303.8), subject to Waiver #2615-WPFM-003-1 Conditions dated October 9, 2012 (contained in Appendix 12 as Attachment A.)

The applicant has filed a waiver request (Waiver #2615-WPFM-003-1) seeking to control stormwater by using underground detention in a residential development. Specifically, the applicant proposes to install up to 5 underground detention vaults based using the Detention Method described in the County PFM. The applicant believes that given the size of the site and the nature of development proposed, underground facilities are appropriate in this instance. The applicant has proffered to provide stormwater management as depicted on the CDP/FDP and all applicable provisions of the County's PFM. DPWES recommends that the Board approve the waiver to locate underground facilities in a residential area, subject to Waiver #2615-WPFM-003-1 conditions dated October 9, 2012, as contained in the Appendix 12.

Modification of Par. 1 of Section 16-102 of the Zoning Ordinance for yard regulations, setbacks, bulk regulations and building heights in favor of that shown on the CDP/FDP.

As previously discussed, the site is currently zoned I-4 and a conventional residential district would not permit a mixed-use, transit-oriented development envisioned in the Plan. The Comprehensive Plan recommends mixed-use development with a residential component, with a maximum FAR of 2.5. Implementation of this recommendation would require approval of a "P" District, as

neither the residential component of the mix, or the maximum FAR could be achieved in a conventional district. As noted earlier in this report, staff does not believe that the proposed design, which is in conformance with the Plan, adversely impacts the abutting properties. Therefore, staff does not object to the requested waiver.

Modification of transitional screening and a waiver of the barrier requirements in favor of that shown on the CDP/FDP.

The applicant has requested a waiver of the transitional screening and barrier requirements for residential uses adjacent to office uses. The Zoning Ordinance requires Transitional Screening 1 and Barrier D, E, or F. Paragraph 1 of Section 13-304 allows transitional screening and barriers to be waived or modified between uses that are to be developed under a common development plan in the PRM District. The applicant proposes to locate a multifamily residential building adjacent to an existing office building that is separated by a public street. Urban streetscape features with landscaping are proposed along both sides of the public street. This streetscape serves to unify the development. Staff believes that the additional of the required transitional screening and barriers would preclude this unified design. As such, staff supports the requested modification and waivers requests

Modification of Par. 4 of Section 17-201 of the Zoning Ordinance for the widening of Sunset Hills Road in favor of that shown on the CDP/FDP and in the proffers.

The Comprehensive Plan recommends Sunset Hills Road to be widened to include three lanes with a pedestrian sidewalk along the property's frontage. Sheets 2 and 6 of the CDP/FDP show a three lane configuration including a sidewalk. The applicant has also proffered to reserve 53 feet of right-of-way from the existing centerline of Sunset Hills Road along the property's frontage for future dedication to the Board of Supervisors. This reservation is consistent with other reservations associated with the Comstock/Fairfax County redevelopment to the west. Staff does not object to the waiver request.

Deviation from the tree preservation target percentage in favor of the proposed landscaping shown on the CDP/FDP and as proffered.

The Zoning Ordinance requires 10 percent of the site to include tree cover. The applicant is proposing to provide 10 percent tree cover on the site through the proposed landscaping plan. Sheet 4 of the GDP/ SE Plat also indicates that 8 percent of the tree cover should be met through tree preservation. Since there are few trees on the site, UFM indicated that they would not object to a deviation from the tree preservation target. Staff supports a directive from the Board of Supervisors to the Urban Forest Management Division, DPWES, or Director of DPWES to permit a deviation from the tree preservation target percentage.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The applicant proposes to rezone 5.507 acres from the I-4 District to the PRM District to permit a mixed-use, Transit-Oriented Development (TOD) within a ¼ mile of the Wiehle-Reston East Metrorail Station in the Hunter Mill District. The proposal includes an 85-foot tall (7-story) mid-rise, multifamily residential building consisting of approximately 417,257 gross square feet, 421 units with approximately 10,000 square feet of support retail on the northern portion of the site and the retention of the existing 30 foot tall office building with approximately 30,608 square feet on the southern portion. The overall FAR would be 1.86 FAR, with the residential with support retail building containing a maximum of 2.5 FAR and the existing office building retaining a maximum of 0.42 FAR, excluding bonus density associated with the provision of affordable dwelling units (ADU) and workforce dwelling units (WDU). It is staff's evaluation that the proposed development is in harmony with the use and intensity recommendations of the Comprehensive Plan and with the applicable Zoning Ordinance requirements.

Staff Recommendations

Staff recommends approval of RZ 2010-HM-008 and the associated Conceptual Development Plan subject to the execution of proffers consistent with those contained in Attachment 1.

Staff recommends approval of FDP 2010-HM-008.

Staff recommends approval of a modification of Par. 1 of Section 16-102 of the Zoning Ordinance for yard regulations, setbacks, bulk regulations and building heights in favor of that shown on the CDP/FDP.

Staff recommends approval of a modification of transitional screening and a waiver of the barrier requirements in favor of that shown on the CDP/FDP.

Staff recommends approval of a modification of the loading requirement in favor of the loading spaces depicted on the CDP/ FDP.

Staff recommends approval of a modification of Par. 4 of Section 17-201 of the Zoning Ordinance for the widening of Sunset Hills Road in favor of that shown on the CDP/FDP and in the proffers.

Staff recommends that the Board of Supervisors direct the Director of DPWES to permit a deviation from the tree preservation target percentage in favor of the proposed landscaping shown on the CDP/FDP and as proffered.

Staff recommends approval of a waiver of Par. 1(B) of Sect. 2-414 to permit the existing office building to be set back approximately 70 feet from the Dulles Toll Road.

Staff recommends approval of a waiver to locate underground stormwater management facilities in a residential area (PFM Section 6-0303.8), subject to Waiver #2615-WPFM 003-1 Conditions dated October 9, 2012.

It should be noted that it is not the intent of Staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. It should be further noted that the content of this report reflects the analysis and recommendation of Staff; it does not reflect the position of the Board of Supervisors.

The approval of this rezoning does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application. For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

APPENDICES

1. Draft Proffers RZ 2010-HM-008
2. Affidavit
3. Statement of Justification
4. Plan Citations
5. Residential Development Criteria and Transit-Oriented Development Guidelines
6. Environmental Analysis
7. Urban Forest Management Analysis
8. FCDOT and VDOT Transportation Analysis
9. Fire and Rescue Analysis
10. Water Service Analysis
11. Stormwater Management Analysis
12. DPWES Analysis of Waiver #2615-WPFM-003-1 Request
13. Sanitary Sewer Analysis
14. Schools Analysis
15. Park Authority Analysis
16. Applicable Zoning Ordinance Provisions
17. Glossary of Terms

**RBP & M, LLC
BOZZUTO DEVELOPMENT COMPANY
SECTION 913 LIMITED PARTNERSHIP
PROFFER STATEMENT
RZ 2010-HM-008**

**November 9, 2010
Revised February 13, 2013**

Pursuant to Section 15.2-2303 (A) of the Code of Virginia (1950, as amended) and Sect. 18-204 of the Zoning Ordinance of Fairfax County (1978, as amended) (the "Zoning Ordinance"), the property owners and applicants, for themselves and their successors and assigns (collectively referred to as the "Applicant"), in this rezoning application proffer that the development of the parcels under consideration and shown on the Fairfax County Tax Map as 17-4 ((19)) 1, 2, 3, 4, 5A, and 6A (the "RBP & M Property") and 17-4 ((24)) 4B (the "Section 913 Property" and, collectively with the RBP & M Property, the "Property") shall be in accordance with the following conditions ("Proffers") if, and only if, RZ 2010-HM-008 (the "Application") is granted. In the event that this Application is denied, these Proffers shall be immediately null and void and of no further force or effect.

GENERAL

1. Conceptual Development Plan/Final Development Plan. The Property shall be developed in substantial conformance with the Conceptual Development Plan/Final Development Plan ("CDP/FDP") dated April 23, 2010, and revised through February 7, 2013, prepared by Urban Ltd., and consisting of 31 sheets, as further described below.
2. CDP Elements. Notwithstanding that the Conceptual Development Plan and the Final Development Plan are presented on the same sheets and defined as the CDP/FDP in Proffer 1, it shall be understood that the CDP consists of (i) the maximum square footage of permitted development on the Property, including the proposed mix and locations of uses as set forth on the CDP/FDP and as qualified under Proffer 5; (ii) the minimum proposed open space; (iii) the general location and arrangement, minimum setbacks, and maximum building heights of the buildings on the Property as shown on the CDP/FDP; and (iv) the points of access to the Property and accompanying pedestrian and vehicular circulation routes through the Property (collectively, the "CDP Elements"). The Applicant reserves the right to request approval from the Planning Commission of a Final Development Plan Amendment ("FDPA") pursuant to Section 16-402 of the Zoning Ordinance for elements other than the CDP Elements for all or a portion of the Property and the CDP/FDP, provided such FDPA is in substantial conformance with these Proffers.
3. Minor Modifications. Minor modifications to the CDP/FDP may be permitted pursuant to Section 16-403(4) of the Zoning Ordinance when necessitated by sound engineering or when necessary as part of final site engineering. Such modifications shall be permitted, provided: (a) the maximum building heights for each building are not increased beyond the heights identified on Sheet 6 of the CDP/FDP and Proffer 7; (b) the minimum setbacks for each building are not

decreased beyond the setbacks identified in Sheet of the CDP/FDP; (c) the amount of open space identified on Sheet 2 of the CDP/FDP is not reduced; and (d) the development otherwise is in substantial conformance with these Proffers and the CDP/FDP.

4. Future Applications. Any portion of the Property may be the subject of a Conceptual Development Plan Amendment ("CDPA"), FDPA, Proffered Condition Amendment ("PCA"), Rezoning, Special Exception, Comprehensive Sign Plan, Special Permit, Variance or other zoning action (including that the Section 913 Property may be the subject of any such an application in order to develop the Phase II Development, as hereinafter defined, in accordance with Proffer 5 below) without the joinder and/or consent of the owners of the other land areas, provided that such application complies with Par. 6 of Sect. 18-204 of the Zoning Ordinance and Section 15.2-2302 of the Code of Virginia, as applicable. Previously approved proffered conditions or development conditions applicable to a particular portion of the Property that are not the subject of such an application shall remain in full force and effect.

PROPOSED DEVELOPMENT

5. Proposed Development. Redevelopment of the Property may occur in phases. The development proposed with this Application shall include: (a) a multi-family residential building on the RBP & M Property containing up to 421 multi-family dwelling units (the "Residential Units") and up to 10,000 square feet of non-office secondary uses ("Secondary Uses") as permitted under Section 6-403 of the Zoning Ordinance (the "Proposed Development") in accordance with the tabulations set forth on Sheet 2 of the CDP/FDP; and (b) the existing office building on the Section 913 Property containing 30,608 square feet of office and accessory uses ("Office Uses") in accordance with the tabulations set forth on Sheet 2 of the CDP/FDP (collectively, the Proposed Development and the Office Uses shall constitute the "Phase I Development"). The Applicant anticipates that the Section 913 Property may be the subject of a future Rezoning, CDPA, FDPA, PCA or other zoning action, as permitted in accordance with Proffer 4 above, to redevelop the Section 913 Property (the "Phase II Development"). Although no improvements are proposed for the Section 913 Property with Phase I, the Section 913 Property is included with this Application for the purpose of facilitating coordinated development of the RBP & M Property and the Section 913 Property. At such time as the Phase II Development occurs, such development shall be consistent with, and complementary to, the general character of the Phase I Development as a high-quality, mixed-use, and transit-oriented development and shall be well-integrated into the transit station area.

6. Secondary Uses. The Secondary Uses shall be located on the ground floor of the residential building along the Reston Station Boulevard frontage of the RBP & M Property as shown on Sheet 6 of the CDP/FDP. The Applicant shall develop a minimum of 3,500 square feet of Secondary Uses, provided, however, that the Applicant may convert such Secondary Use space to amenity space for residents of the building (such as, but not limited to, a fitness center, business center, or community room) if the Applicant is unable to lease the Secondary Use space for Secondary Uses within 180 days of the issuance of Residential Use Permits ("RUPs") for fifty percent (50%) or more of the Residential Units shown on the final site plan. The Secondary Uses shall have at least two (2) direct pedestrian access points from the sidewalk along the north side of Reston Station Boulevard.

7. Building Height. The building heights for the Proposed Development shall not exceed the maximum building heights shown on Sheet 6 of the CDP/FDP. Building height shall be measured in accordance with the provisions of the Fairfax County Zoning Ordinance and shall be exclusive of those structures that are excluded from the maximum building height regulations as set forth in Section 2-506 of the Zoning Ordinance, including, for example, penthouses and other rooftop structures used for common amenity space, exercise rooms, meeting rooms and similar facilities. Notwithstanding the foregoing, however, nothing shall preclude the Applicant from constructing the Proposed Development to a lesser building height than that which is represented on the CDP/FDP, provided the configuration of the building footprint remains in substantial conformance with that shown on the CDP/FDP.

8. Declarations and Owners' Associations.

- A. Umbrella Owners' Association. At any time, the Applicant may record a declaration and/or establish an Umbrella Owners' Association (the "UOA") for the RBP & M Property to address the general maintenance and other obligations (including stormwater management and transportation demand management) of the owner(s) (and their successors and assigns), including the fulfillment of these Proffers. If recorded or established, the declaration and/or UOA documents shall separately identify those maintenance or proffer obligations that will or are expected to fall principally on owners or residents of the residential building and such obligations shall be disclosed to the owners/residents in accordance with the terms of this proffer.
- B. Homeowner and Condominium Owners' Association. In the event units in the residential building are held for sale, the Applicant shall cause either a homeowners' association and/or a condominium owners' association ("HOA/COA") to be formed for the residential building. If a declaration is recorded and/or a UOA is established for the RBP & M Property, the HOA/COA shall be a member of the declaration and/or UOA.
- C. Commercial Association. In the event the residential building is a rental residential building without units held for sale, the Applicant may cause a Commercial Association ("CA") to be formed for the residential building. If a declaration is recorded and/or a UOA is established for the RBP & M Property, the CA shall be a member of the declaration and/or UOA.
- D. Disclosures. The declaration establishing any HOA/COA/CA on the RBP & M Property (including budgets provided in any offering or sale materials) shall specify the proffer and maintenance conditions and obligations set forth in these Proffers. Purchasers shall be advised in writing of these proffer conditions and obligations prior to entering into a contract of sale.
- E. UOA Transportation Demand Management ("TDM") Obligations. All residents, tenants, owners, employers and employees living, working, operating a business or owning property within the RBP & M Property shall be advised of the TDM Plan described in Proffer 26. All HOA/COA/CA members shall be informed of

any funding obligations for the TDM program prior to entering into a contract of sale, and all such obligations shall be included in the HOA/COA/CA documents.

LIGHTING

9. Lighting. All on-site outdoor and parking garage lighting provided with the Proposed Development shall comply with the Outdoor Lighting Standards of Section 14-900 of the Zoning Ordinance and shall be generally consistent with the outdoor lighting fixtures provided for other developments in the Wiehle-Reston East Metro Station area, as determined by the Applicant in consultation with the Zoning Evaluation Division ("ZED"). All proposed parking garage and building mounted security lighting on the RBP & M Property shall utilize full cut-off fixtures.

NOISE ATTENUATION

10. Noise Attenuation. Concurrent with the initial submission of a site plan for the residential building, the Applicant shall submit to the County a refined acoustical analysis detailing the projected noise impacts of the Dulles Toll Road on the Residential Units and proposed mitigation techniques (the "Noise Study"). The Noise Study shall be conducted in accordance with requirements established by the Fairfax County Department of Planning & Zoning ("DPZ") and shall be submitted to DPZ and the Fairfax County Department of Public Works & Environmental Services ("DPWES") for review and approval. The Noise Study shall include projected noise levels in the Residential Units, outdoor balconies/patios, and outdoor recreation areas shown on the submitted site plan based on the proposed final site topography and conditions as shown on the site plan (rather than existing topography and conditions). The Noise Study shall include the following information: site plan and cross section views of the source of the noise in relation to the residential building, the affected Residential Units, and the affected outdoor recreation areas, and the consultant's recommendations for appropriate noise attenuation measures to ensure that the affected areas meet the standards outlined below. A copy of the approved Noise Study shall be included with the submission of the building permit applications for the residential building. The building plan shall identify the noise-affected spaces and the noise attenuation measures, including materials, to be provided to ensure that each such affected occupied space meets the standards outlined below.

- A. Acceptable Noise Levels within Residential Units. The Applicant shall provide noise attenuation measures in order to reduce interior noise in all Residential Units to approximately 45 dBA Ldn or less.
 - i. Above 75 dBA Ldn. No Residential Unit (or portion thereof, such as outdoor balconies) may be established in areas projected to be impacted by noise levels greater than 75 dBA Ldn.
 - ii. 70 dBA Ldn to 75 dBA Ldn. In order to reduce interior noise to a level of no more than 45 dBA Ldn for Residential Units that are projected to be impacted by noise greater than 70 dBA Ldn (but not more than 75 dBA Ldn) the Applicant shall construct such units using the following acoustical measures:

- a. Exterior walls shall have a laboratory sound transmission class ("STC") rating of at least 45;
 - b. Doors and glazing shall have a laboratory STC rating of at least 37 unless glazing constitutes more than 20% of any façade exposed to noise levels of Ldn 70 dBA or above;
 - c. If glazing constitutes more than 20% of an exposed façade, then the glazing shall have a laboratory STC rating of at least 45; and
 - d. All surfaces shall be sealed and caulked in accordance with methods approved by the American Society for Testing and Materials ("ASTM") to minimize sound transmission.
- iii. 65 dBA Ldn to 70 dBA Ldn. In order to reduce interior noise to a level of no more than 45 dBA Ldn for Residential Units that are projected to be impacted by noise projected greater than 65 dBA Ldn (but not more than 70 dBA Ldn), the Applicant shall construct such units using the following acoustical measures:
 - a. Exterior walls shall have a laboratory STC rating of at least 39;
 - b. Doors and glazing shall have a laboratory STC rating of at least 28 unless glazing constitutes more than 20% of any façade exposed to noise levels of Ldn 70 dBA or above;
 - c. If glazing constitutes more than 20% of an exposed façade, then the glazing shall have a laboratory STC rating of at least 39; and
 - d. All surfaces shall be sealed and caulked in accordance with methods approved by the ASTM to minimize sound transmission.
- B. Noise Levels at Outdoor Recreation Areas and Balconies/Patios. The Applicant shall provide noise attenuation measures as determined necessary by the Noise Study as approved by DPWES and DPZ to ensure that traffic-related noise in the outdoor recreation areas and balconies/patios do not exceed 65 dBA Ldn. Adjustments to the noise attenuation measures that are in substantial conformance with those indicated on the CDP/FDP may be permitted subject to the approval of the Zoning Administrator to ensure that the noise attenuation measures provide the necessary noise attenuation.
- C. Noise Contours on Site Plans and Building Permits. All site plans, building permit applications and building plans submitted to the County for the Residential Units shall indicate whether such building is required to include noise attenuation measures and, if so, the type of attenuation measure to be implemented. Building and site plans for each unit that is subject to noise mitigation as provided herein shall depict the final noise contours as determined by the Noise Study.

PARKING

11. Zoning Ordinance Parking Requirements. Parking shall be provided in accordance with the parking requirements of Article 11 of the Fairfax County Zoning Ordinance, as determined by DPWES, for the uses within the Proposed Development. The maximum number of parking spaces for the Residential Units shall be the minimum number of parking spaces required under Article 11 of the Zoning Ordinance in effect as of the date of these Proffers. The Applicant reserves the right to provide parking spaces for the Secondary Uses in addition to the total number of parking spaces shown on Sheet 2 of the CDP/FDP (a) if such additional spaces result from the final design of the parking structure, or (b) to the extent necessary to accommodate uses established on the RBP & M Property that result in a higher parking requirement than is shown on the CDP/FDP (e.g., eating establishments), provided that (i) the building height as set forth on Sheet 6 of the CDP/FDP and in Proffer 7 are not exceeded and (ii) the building footprints for each building remain in substantial conformance with the building footprints shown on Sheet 6 of the CDP/FDP.

12. Future Parking Reductions. Given (a) the Property's proximity to the Wiehle-Reston East Metro Station, (b) the planned bus service at the Property, (c) the character of the Proposed Development as a mixed-use, urban development, and (d) the Transportation Demand Management ("TDM") Plan detailed in Proffer 26, the Applicant may pursue a parking reduction for the Proposed Development, as may be permitted by Article 11 of the Fairfax County Zoning Ordinance and approved by the Board of Supervisors.

13. Bicycle Parking. As part of site plan approval for the Proposed Development, the Applicant shall designate on the site plan and install secure bicycle storage sufficient to provide one (1) visitor bicycle space for every twenty-five (25) Residential Units, one (1) long-term bicycle space for residents for every five (5) Residential Units, and one (1) visitor/employee bicycle space for every 5,000 square feet of Secondary Uses. The Applicant also shall provide signage within the RBP & M Property to guide bicyclists to the secure bicycle storage facilities. The Applicant shall determine the final location of the secure bicycle storage, the type of bicycle racks, and bicycle signage in consultation with the Fairfax County Department of Transportation ("FCDOT") Bicycle Coordinator prior to site plan approval for the Proposed Development. The bicycle storage facilities designated on the site plan and the bicycle signage shall be installed prior to the issuance of the first RUP for the Residential Units.

14. Electric Vehicle Charging Facilities. As part of site plan approval for the Proposed Development, the Applicant shall designate on the site plan and install at least one (1) electric vehicle charging station, and ancillary wiring and infrastructure necessary to increase the number of electric vehicle charging stations, within the parking garage for the residential building.

SIGNAGE

15. Signage. Signage for the Proposed Development shall be provided in accordance with the requirements of Article 12 of the Zoning Ordinance or pursuant to a Comprehensive Sign Plan approved by the Planning Commission in accordance with Section 12-210 of the Zoning Ordinance.

LANDSCAPING

16. Landscape Plan. The Applicant shall implement the landscape design for the Proposed Development shown on Sheet 10 of the CDP/FDP (the "Overall Landscape Plan"), which illustrates the plantings and other features to be provided with the Proposed Development, including streetscapes, plazas and parks. The Overall Landscape Plan is conceptual in nature and may be modified by the Applicant as part of final engineering and building design, provided that such modifications provide a similar quality of landscaping as that shown on the Overall Landscape Plan and the CDP/FDP, as determined by Urban Forest Management Division of DPWES ("UFMD").

- A. Native Species. The Applicant shall use native species to the extent practicable throughout the Proposed Development, provided that the Applicant reserves the right, in consultation with and approval by UFMD, to modify as part of site plan approval for each building the exact species to be used, such as where some plant materials are not available or have been deemed by UFMD to no longer be appropriate.
- B. Site Plan(s). As part of the initial site plan submission for each building of the Proposed Development, the Applicant shall submit to UFMD for review and approval a detailed landscape and tree cover plan (the "Landscape Plan") for such building(s), which shall include, among other things:
 - i. Irrigation information;
 - ii. Design details for tree wells or grates and other similar planting areas above structures and along streets;
 - iii. Composition of the planting materials and/or structural soils used for street trees or where plantings are to be located within or on top of structures and other methods to be used to ensure the viability of the proposed plantings;
 - iv. Information demonstrating that the Landscape Plans are consistent with and are part of implementation of the SWM Plan defined in Proffer 18; and
 - v. Other information that may be requested by UFMD.
- C. Planting Quality. Each Landscape Plan shall be consistent with the quality and quantity of plantings and materials shown on the Overall Landscape Plan of the CDP/FDP and may include the use of additional shade trees and other plant materials as determined by the Applicant. The Applicant may adjust the type and location of vegetation and the design of the public spaces, courtyard areas and streetscape improvements and plantings as approved by ZED and UFM, provided such adjustments otherwise are in substantial conformance with the CDP/FDP.
- D. Planting Strips. The Applicant shall install street trees consistent with the Streetscape plans included on Sheet 10 of the CDP/FDP. For trees not planted

within an 8-foot wide minimum planting area, or that do not meet the minimum planting area required by the PFM, the Applicant shall provide details for alternative designs showing how the proposed planting spaces will provide for normal tree growth and performance by installing structural cells or an equivalent solution acceptable to UFMD to meet the following specifications:

- i. A minimum of 6 feet open surface width and 48 square feet open surface area.
- ii. Rooting area a minimum of 8 feet wide, which can be achieved in instances where open surface area width is less than 8 feet by providing suitable rooting area below paved surfaces using methods that do not require soil compaction for structural purposes such as structural cells.
- iii. Soil volume for Category III or IV trees (as indicated in Table 12.17 of the Public Facilities Manual) shall be a minimum of 455 cubic feet per tree for single trees. For two trees planted in a contiguous planting area, a total soil volume of at least 760 cubic feet shall be provided. For three trees or more planted in a contiguous area, the soil volume shall equal at least 400 cubic feet per tree.
- iv. Planting spaces shall provide 36-48 inches of soil depth.
- v. Planting spaces shall be interconnected to the furthest extent feasible.
- vi. Soil in planting sites shall be as specified in planting notes to be included in site plans reviewed and approved by Urban Forest Management.

The Applicant shall provide notice to UFMD not less than 72 hours prior to the Applicant's implementation of the tree planting spaces to permit UFMD to verify the proper installation and planting of trees in conformance with the approved site plan. At such time, the Applicant also shall provide UFMD written documentation demonstrating that the materials and methods used satisfy the requirements of the plan and verifying that the contractors performing the work are licensed as may be required by the manufacturer. Following installation and no later than final bond release for the site plan for which this proffer is applicable, the Applicant shall provide written confirmation from a certified arborist and/or landscape architect verifying installation of trees by a licensed contractor consistent with the requirements of this proffer.

- E. Open Space Designs. As part of final engineering and design, and subject to review and approval by ZED, the Applicant may elect to modify the designs of the various open space areas from the designs shown on Sheets 10, 11, and 12 of the CDP/FDP, provided that such modifications offer a similar quality of design and quantity of plantings and materials as those shown on the CDP/FDP and are in accordance with Section 16-403(4) of the Zoning Ordinance. The Applicant shall incorporate into the design or architecture of the Proposed Development

public art features or designs selected by the Applicant in consultation with representatives of the Initiative for Public Art in Reston to be maintained by the Applicant. The public art shall be completed prior to final bond release for the Proposed Development.

- F. Tree Preservation. UFM has approved a tree preservation deviation for the RBP & M Property based on the provision that construction activities be reasonably expected to impact existing trees or forested areas used to meet the Tree Preservation Target to the extent these would not likely survive in a healthy and structurally sound manner for a minimum of ten (10) years in accordance with the post-development standards for trees and forested areas provided in Section 12-0403 and 12-0404 of the PFM. The tree canopy requirement will be met with new planting proposed with the Proposed Development.
- G. Tree Replacement. The Applicant shall replace any tree that is planted on the RBP & M Property, and is counted toward meeting the overall tree canopy requirement, that is damaged, such that thirty percent (30%) or more of the crown is no longer viable, as a result of maintenance to the stormwater management facilities and storm sewer pipe on the RBP & M Property with a tree of equal or greater size. The size of the replacement tree shall be based on the caliper size of the tree to be replaced as shown on the final site plan.

17. Streetscaping. The Applicant shall provide streetscape improvements and plantings ("Streetscape") as indicated on the Overall Landscape Plan shown on Sheet 10 of the CDP/FDP. Notwithstanding the foregoing, and subject to approval by ZED, the Applicant may make minor modifications to the Streetscape, including shifting the locations of street trees, to accommodate final architectural designs, sight distance concerns and utilities, as well as to facilitate outdoor elements in the Proposed Development, provided that such changes are in substantial conformance with these Proffers and the CDP/FDP and as approved by DPWES. As part of site plan approval for the Proposed Development, the Applicant shall grant public access easements for the entry plaza area and sidewalks on the RBP & M Property.

STORMWATER MANAGEMENT

18. Stormwater Management. As part of site plan approval for the Proposed Development, the Applicant shall demonstrate that the Proposed Development will meet applicable Fairfax County Public Facilities Manual ("PFM") requirements for stormwater quantity and stormwater quality in effect at the time of the approval of this Application. The site plan shall include strategies for addressing both water quantity and water quality management issues, including detailed mitigation measures to be implemented as part of construction. The Applicant shall construct stormwater quantity and quality measures in accordance with the site plan (and each subsequent revision thereto) with the Proposed Development, such that the runoff reductions outlined below shall be achieved.

- A. Stormwater Management Goals. Using a series of infiltration facilities and/or structural and non-structural stormwater management and/or Best Management Practices ("BMP") facilities, the Applicant shall demonstrate the Proposed

Development's conformance with applicable PFM requirements for stormwater quantity and stormwater quality in effect at the time of the approval of this Application. Underground stormwater detention shall be provided in conformance with the conditions of DPWES Waiver #2615-WPFM-003-1.

- B. Maintenance Responsibility. Prior to site plan approval for the Proposed Development, the Applicant shall execute an agreement with the County in a form satisfactory to the County Attorney (the "SWM Agreement") providing for the perpetual maintenance of all stormwater management facilities that are part of the Proposed Development ("SWM Facilities"). The SWM Agreement shall require the Applicant (or its successors) to perform regular routine maintenance of the SWM Facilities and to provide a maintenance report annually to the Fairfax County Maintenance and Stormwater Management Division of DPWES, provided DPWES requests such a maintenance report. The SWM Agreement also shall address easements for County inspection and emergency maintenance of the SWM Facilities to ensure that the facilities are maintained by the Applicant in good working order.

TRANSPORTATION IMPROVEMENTS

19. Right-of-Way for Sunset Hills Road. As part of the first site plan approval for the Proposed Development, or upon the written request of Fairfax County, whichever occurs first, the Applicant shall reserve for future dedication to the Board of Supervisors right-of-way to 53 feet from the existing centerline of Sunset Hills Road, as shown on Sheets 2 and 6 of the CDP/FDP. Upon the written request of Fairfax County at such time as the necessary engineering and funding exist to permit the widening of Sunset Hills Road, the Applicant shall dedicate such right-of-way in fee simple to the Board of Supervisors for public street purposes.

20. Right-of-Way and Construction for Reston Station Boulevard and Metro Center Drive. As part of the first site plan approval for the Proposed Development, or upon written request of Fairfax County, whichever occurs first, the Applicant shall dedicate in fee simple the right-of-way along Reston Station Boulevard and Metro Center Drive, as shown as "Proposed R.O.W. Dedication" on Sheet 6 of the CDP/FDP, to the Board of Supervisors for public street purposes. Subject to VDOT approval, the Applicant shall construct widening and frontage improvements, and implement lane restriping as necessary, for Reston Station Boulevard and Metro Center Drive as shown on Sheet 6 of the CDP/FDP. The Applicant shall complete and open such improvements to traffic (but not necessarily have such improvements accepted by VDOT) prior to the issuance of the first RUP for the Proposed Development.

21. Construction of Interim Private Drive. Prior to the issuance of the first RUP for the Proposed Development, the Applicant shall construct a private drive along the eastern boundary of the RBP & M Property as shown on Sheet 6 of the CDP/FDP. This private drive shall be for the purpose of serving the parking garage entrance and loading spaces on the RBP & M Property as an interim condition until the approval and establishment of a public road connection from Reston Station Boulevard to Sunset Hills Road.

22. Escrow for Future Access Connection. Prior to the issuance of the first RUP for the Proposed Development, the Applicant shall post an escrow in the amount of \$15,079.16 in the form of cash or a letter of credit from a financial institution authorized to conduct business in the Commonwealth of Virginia as a contribution toward the implementation of a future access connection from Reston Station Boulevard to Sunset Hill Road along the eastern boundary of the RBP & M Property as shown on Sheet 5B of the CDP/FDP. Fairfax County shall be permitted to draw upon the escrow at such time as the required engineering is complete and the necessary funding is in place for the construction of such access connection.

23. Retail Loading Area. Prior to site plan approval for the Proposed Development, the Applicant shall determine, in consultation with VDOT and DPWES, whether to proceed with the retail loading entrance along Metro Center Drive as shown on Sheet 6 of the CDP/FDP or the alternative retail loading entrance along Metro Center Drive as shown on Sheet 13A of the CDP/FDP to provide safe and efficient retail loading for the residential building. In the event the Applicant determines, in consultation with VDOT and DPWES, that an alternative design for the retail loading entrance along Metro Center Drive is preferable to both options identified in the CDP/FDP, the Applicant shall be permitted to proceed with such an alternative without the need for a CDPA/FDPA/PCA. The Applicant shall incorporate the selected retail loading entrance prior to final site plan approval.

24. Traffic Signal Timing Study. As part of the site plan process, if VDOT determines that a signal timing study is necessary, the Applicant shall submit a signal timing study for the signalized intersections along Wiehle Avenue, from the intersection of Sunset Hills Road to the intersection of the Dulles Toll Road (Westbound Ramps), to determine appropriate signal timing modifications. Such signal timing study shall be subject to review and approval by VDOT and shall provide for sufficient pedestrian crossing times in accordance with established standards as determined by VDOT. This proffer will be considered to be satisfied with the submittal of the signal timing study to VDOT, if required.

25. Traffic Signal Facilities. If the relocation or installation of any traffic signal heads, poles, mast arms, or related ancillary facilities is required at the intersection of Sunset Hills Road and Metro Center Drive and, if necessary, Reston Station Boulevard and Metro Center Drive to accommodate the Proposed Development, the Applicant shall complete the relocation or installation of such traffic signal facilities prior to the issuance of the first RUP for the residential building, provided, however, that the Applicant shall not be responsible for the relocation or installation of any traffic signal facilities necessitated by development on parcels other than the RBP & M Property. If the traffic signal has not yet been installed at Reston Station Boulevard and Metro Center Drive, the Applicant shall not be responsible for installation of the new traffic signal, but shall coordinate with others to ensure that the traffic signal design will accommodate the Proposed Development on the RBP & M Property.

TRANSPORTATION DEMAND MANAGEMENT

26. Transportation Demand Management. This proffer sets forth the components of a transportation demand management program for the Proposed Development that shall be implemented by the Applicant, and its successors or assigns, to reduce peak hour vehicle trips generated by the residents of the RBP & M Property. The proffered elements of the

transportation demand management program shall be identified and more fully described in a Transportation Demand Management Plan (the "TDM Plan") the Applicant shall submit to FCDOT for review and approval as set forth below. It is the intent of this proffer that the TDM Plan adapt over time to respond to changing transportation related circumstances of the RBP & M Property, as well as to technological and/or other improvements, with the objective of meeting the proffered vehicle trip reduction goals.

A. Definitions:

- i. Applicant Control Period. The "Applicant Control Period" is the period starting immediately following approval of this rezoning Application and ending on the date when three (3) consecutive annual Trip Counts conducted starting at least one (1) full calendar year after the Residential Units reach Full Occupation show that vehicle trips generated by the Residential Units are less than or equal to the TDM Goal (as defined herein). Upon expiration of the Applicant Control Period, the Applicant may assign responsibility for ongoing implementation of the TDM Plan to a future UOA/HOA/COA/CA, in the event such an association is created that includes the Residential Units, provided the Applicant gives written notice to FCDOT within ten (10) days of any such assignment. Upon the assignment of the TDM responsibilities to a UOA/HOA/COA/CA, the Applicant shall have no further obligations under this proffer.
- ii. Full Occupation. For purposes of this proffer, "Full Occupation" of the Residential Units shall be deemed to occur upon the issuance of 80 percent (80%) of all RUPs for the Residential Units, except as otherwise agreed to by the Applicant and FCDOT.
- iii. Peak Hours. For purposes of this proffer, the relevant weekday "Peak Hours" shall be that 60-minute period during which the highest weekday volume of mainline trips occurs between 7:00 to 9:00 AM and 4:00 to 6:00 PM, as determined by mechanical traffic counts conducted at two select locations abutting the RBP & M Property as approved in consultation with FCDOT. To determine the Peak Hours, such counts shall be collected beginning on a Monday at 24:00 hours and continuing to the following Thursday at 24:00 hours at a time of year that reflects typical travel demand conditions (e.g. September to May, not during a holiday week or when public schools are not in session). The methodology for determining the Peak Hours may be modified subject to approval of FCDOT in order to respond to technological and/or other improvements in trip counting.

- B. Trip Reduction Objective. The objective of this TDM program shall be to reduce the number of vehicle trips generated by the Residential Units to be developed on the RBP & M Property during weekday Peak Hours (as determined based on the Institute of Transportation Engineers, Trip Generation, 8th Edition) by meeting the vehicle trip reductions set forth below. The Secondary Uses established as part of

the Proposed Development and the Existing Development shall not be included in the TDM Plan.

- C. Baseline Trips. The baseline number of vehicle trips for the Residential Units against which the TDM Goals (as defined herein) will be measured shall be 210 AM Peak Hour trips and 249 PM Peak Hour trips (the "Baseline Trips"). The Baseline Trips are based on the 421 Residential Units that may be constructed on the RBP & M Property as part of the Proposed Development and using the trip generation rates/equations applicable to such uses and densities as set forth in the Institute of Transportation Engineers, Trip Generation, 8th Edition. In the event the Applicant constructs fewer than 421 Residential Units as part of the Proposed Development, then the Baseline Trips applicable upon Full Occupation shall be calculated as if 421 Residential Units in the Proposed Development had actually been constructed as reflected on the CDP/FDP.
- D. TDM Goals. The "TDM Goals" for the vehicle trip reductions for the Residential Units shall be as follows:

Peak Hour	Residential Use Permits	ITE Land Use Code	Maximum ITE Projected Trips	Target Peak Hour Trip Reduction Percentage	TDM Trip Reduction Goal
AM	1 to 421	220	210	40%	126
PM	1 to 421	220	249	40%	149

- E. TDM Plan. In order to meet the TDM Goals set forth in this proffer, the Applicant shall develop and implement the TDM Plan. The TDM Plan shall outline the components of the Applicant's TDM program and the specific TDM strategies the Applicant will implement to meet the TDM Goals, which shall be selected by the Applicant in consultation with FCDOT. The Applicant shall submit the TDM Plan to FCDOT for review and approval prior to site plan approval for the Proposed Development. The Applicant shall implement the TDM Plan, as approved by FCDOT, prior to the issuance of the first RUP for the Residential Units. The Applicant may amend and supplement the TDM Plan from time to time, subject to approval by FCDOT, without the need for a PCA.
- F. TDM Strategies. The following list represents potential TDM strategies the Applicant may select and implement as part of the TDM Plan in order to meet the TDM Goals. It is the Applicant's intent to identify a non-exclusive list of potential TDM strategies, which the Applicant may amend and supplement from time to time, subject to approval by FCDOT, without the need for a PCA. The TDM strategies are as follows:
- i. Designation of the TPM, as described above;
 - ii. A targeted marketing program for residential sales/leases that encourages and attracts TDM-oriented residents, such as bicyclists, one or no-car individuals/families and employees of nearby employers to live in the Proposed Development; provided, however, that such marketing shall be

completed on a non-discriminatory basis in conformance with the Fair Housing Act and all other applicable laws and regulations;

- iii. Integration of transportation information and education materials into office leases and residential sales/rental kits;
- iv. Coordination/assistance with vanpool and carpool formation programs, including ride matching services, with adjacent office/residential buildings and homeowners associations and established guaranteed ride home programs;
- v. Establishment of a site-specific project website that includes multimodal transportation information, real-time travel and transit data, the possibility of online transit pass sales or value loading and connections to supporting links;
- vi. Provision of a 500 – 850 square-foot business center that offers broadband or high-speed data connections (including “secure” voice and/or data connections), computers, facsimile machine and similar items;
- vii. Provision of broadband or high-speed data connections/wiring for internet access for all Residential Units;
- viii. Establishment of a location to be staffed/managed by the TPM within the Proposed Development at which transit and ridesharing information is made available to tenants, residents and visitors;
- ix. A parking management plan for the Residential Units, which shall include (i) a unit sales/rental program/policy under which each residential unit is allocated one (1) parking space as part of the base purchase/rental price, and that additional parking spaces may be purchased/leased for an additional cost; and (ii) dedicated space for residential vanpools and car-sharing vendors not otherwise addressed in these Proffers;
- x. Distribution of fare media or other incentives up to a maximum \$50.00 per Residential Unit, at least one time, to all initial residents of driving age, as well as on select occasions as an incentive;
- xi. Use of car sharing program(s) (such as the existing ZipCar service or comparable program);
- xii. Provision of secure bicycle storage in accordance with Proffer 13; and
- xiii. “Personalized transportation advising” integrated into new residential unit walk-throughs, including appropriate training of residential sales/leasing agents.

G. Process of Implementation. The Applicant shall implement the TDM program as follows, provided that amendments and supplements to the implementation process set forth below may be made, subject to approval by FCDOT, without the need for a PCA.

- i. TDM Program Manager. Prior to the issuance of the first building permit for the Proposed Development, the Applicant shall appoint a professional TDM Program Manager (the "TPM") to develop, implement, and monitor the elements of the TDM Plan. The TPM may have additional duties beyond implementation of the TDM Plan. The Applicant shall provide written notice to FCDOT of the appointment of the TPM within ten (10) days of such appointment and, thereafter, within ten (10) days of any change in such appointment. Following the initial appointment of the TPM, the Applicant, and its successors or assigns, shall continuously employ a TPM for the Proposed Development.
- ii. Annual Report and TDM Budget. Within thirty (30) days following the issuance of the first building permit for the Proposed Development, the TPM shall prepare and submit to FCDOT a "TDM Budget" sufficient to implement the TDM Plan for the remainder of the year and for the next calendar year. Each calendar year thereafter, but no later than October 15th, the TPM shall prepare and submit to FCDOT a report ("Annual Report") detailing the implementation of the TDM Plan and any modifications to the TDM Budget. The Annual Report shall include, at a minimum, the following items or the items identified in a template for the Annual Report provided by FCDOT:
 - a. A description of the current calendar year's TDM strategies and implementation efforts;
 - b. Description of the details associated with the monitoring and reporting requirements of the TDM program;
 - c. Analysis of any applicable Surveys and/or Trip Counts for the current calendar year;
 - d. Description of the TDM strategies that will be put into place for the upcoming calendar year; and
 - e. Any revisions to the TDM Plan for the upcoming calendar year; and
 - f. Any revisions to the TDM Budget needed to implement the TDM Plan for the upcoming calendar year.

The Annual Report, the TDM Budget, and any revisions to the TDM Plan shall be reviewed by FCDOT. If FCDOT does not respond with any comments within sixty (60) days after submission, then the Annual Report

for the current calendar year and the TDM Budget and TDM Plan for the upcoming calendar year shall be deemed approved and the TDM Plan shall be implemented accordingly. If FCDOT responds with comments on the Annual Report, the TDM Budget, or any revisions to the TDM Plan, then the TPM will meet with FCDOT within fifteen (15) days of receiving FCDOT's comments. No later than thirty (30) days after the meeting, the TPM shall submit revisions to the Annual Report, the TDM Budget, and/or the TDM Plan to FCDOT for review and approval. Upon FCDOT's approval, the TPM shall implement the approved TDM Plan and fund the approved TDM Budget.

- iii. TDM Account. Within sixty (60) days following the issuance of the first building permit for the Proposed Development, the Applicant, through the TPM, shall establish and fund a separate interest-bearing account with a financial institution qualified to do business in Virginia (the "TDM Account") in an amount equal to the initial TDM Budget for the purpose of implementing the TDM Plan. The TPM shall provide written documentation demonstrating the establishment of the TDM Account to FCDOT within ten (10) days of its establishment. All interest earned on the principal shall remain in the TDM Account and shall be used by the TPM for TDM purposes.
 - a. Annual Funding. The TDM Account shall be replenished annually, no later than December 31st, in accordance with the upcoming calendar year's approved TDM Budget. The annual TDM Budget shall not exceed \$25,000, which shall escalate on a yearly basis in accordance with Proffer 37 below.
 - b. Management of TDM Account. The TDM Account shall be managed by the Applicant, its successors or assigns, as applicable. In the event the implementation of the TDM program becomes the responsibility of an assignee UOA/HOA/COA/CA, a line item for the TDM Account shall be included in the applicable UOA/HOA/COA/CA budget. The documents that establish and control the UOA/HOA/COA/CA shall provide that the TDM Account shall not be eliminated as a line item in the applicable budget, and that funds in the TDM Account shall not be utilized for purposes other than to fund the TDM program.
- iv. TDM Remedy Fund. Concurrent with the establishment and funding of the TDM Account, the Applicant, through the TPM, shall establish a separate interest-bearing account with a financial institution qualified to do business in Virginia (the "TDM Remedy Fund") for the purpose of meeting immediate needs for funding to supplement the TDM Account in support of additional TDM strategies. The TPM shall provide written documentation demonstrating the establishment of the TDM Remedy Fund to FCDOT within ten (10) days of its establishment. All interest

earned on the principal shall remain in the TDM Remedy Fund and shall be used for TDM Remedy Fund purposes.

Prior to the issuance of the first RUP for the Proposed Development, the Applicant shall fund the TDM Remedy Fund by making a one-time contribution of \$0.10 per gross square foot of floor area of the Residential Units to be constructed on the RBP & M Property. This contribution amount shall escalate on a yearly basis in accordance with Proffer 37 below. Funds in the TDM Remedy Fund shall be drawn upon only for the purpose of meeting immediate needs for additional TDM funding and may be drawn on prior to any TDM Budget adjustments as may be necessary.

- v. TDM Incentive Fund. Prior to the issuance of the first RUP for the Residential Units, the Applicant shall make a one-time contribution of \$75 per unit into a sub-account of the TDM Account to fund a multi-modal/transit incentive program for initial purchasers and/or lessees of the Residential Units. Such program shall be prepared by the Applicant, in consultation with FCDOT, and shall include consideration of fare media distribution and value loading, financing incentives, and alternative incentives (such as grocery delivery) tailored to residents who are not likely to make use of alternative commuting option benefits.
- vi. Surveys. One year after the Residential Units reach Full Occupation and every three (3) years thereafter, unless otherwise approved by FCDOT, the TPM shall conduct a survey of residents of the RBP & M Property to evaluate the effectiveness of the TDM Plan in meeting the TDM Goals and to evaluate the need for changes to the TDM Plan (the "Survey"). The TPM shall submit to FCDOT, as part of each Annual Report, an analysis of any Survey conducted during the year. Analysis of the Survey shall include, at a minimum, the following items or the items identified in a template for the Survey provided by FCDOT:
 - a. A description of the TDM strategies in effect for the survey period and a description of how such measures have been implemented;
 - b. The number of people surveyed and the number of people who responded;
 - c. The results of the surveys taken during the survey period;
 - d. The number of residents participating in the TDM programs, displayed by category and mode of use; and
 - e. An evaluation of the effectiveness of the TDM program elements in place, including their effectiveness at achieving the TDM Goals, and, if necessary, proposed modifications and how they will be implemented.

If a Survey reveals that changes to the TDM Plan are needed or advisable, then the TPM shall coordinate such changes with FCDOT and, as necessary, adjust the TDM Budget and implement the revisions.

vii. Trip Counts. The Applicant, through the TPM, shall verify that the proffered TDM Goals are being met through the completion of vehicle trip counts of the Residential Units (the "Trip Counts") as follows:

a. Methodology. For purposes of this Proffer, Trip Counts shall be measured on three (3) consecutive days over a maximum two-week period (but not including a week containing a federal holiday or when public schools are not in session) between September 1st and October 31st of each calendar year, or such other time as the TPM and FCDOT shall mutually determine. The Trip Counts shall include Peak Hour counts of vehicles entering and exiting driveways to the residential building as well as intersection turning movement counts at those street connections to/from the RBP & M Property, as coordinated with and approved by FCDOT. The Trip Counts shall be conducted so that only trips generated by the Residential Units on the RBP & M Property shall be counted (i.e. cut-through trips, retail trips, etc., shall be excluded).

b. Frequency of Trip Counts. One year after the Residential Units reach Full Occupation, and every year thereafter until such time as three (3) consecutive Trip Counts show that the vehicle trips generated by the Residential Units are less than or equal to the TDM Goals, the TPM shall conduct Trip Counts to measure the actual vehicle trips generated by the Residential Units constructed on the RBP & M Property as of the date the Trip Count is completed and to evaluate whether such vehicle trips are less than, equal to, or greater than the TDM Goals.

If the results of three (3) consecutive Trip Counts reveal that the TDM Goals have been met, then the Applicant Control Period shall expire and the Applicant shall have no further obligations under this proffer. Thereafter, the Applicant's successor and/or an assignee UOA/HOA/COA/CA shall conduct Trip Counts every two (2) years.

H. Evaluation and Remedies. The results of each Trip Count shall be compared to the maximum number of trips allowed for the Residential Units to determine whether actual traffic counts are equal to, less than, or greater than the maximum allowed trips under the TDM Goals.

i. Compliance. In the event the Trip Counts conducted upon Full Occupation of the Residential Units show that the vehicle trips generated by the Residential Units at the time the Trip Counts are conducted are

equal to or less than the maximum number trips allowed under the TDM Goals set forth above for three (3) consecutive years, then (a) the Applicant Control Period shall expire, (b) any funds remaining in the TDM Remedy Fund shall be released back to the Applicant, and (c) the Applicant, and subsequently its successors and assigns, shall continue to administer the TDM Plan in the ordinary course, in accordance with the provisions of these Proffers.

- ii. Out of Compliance. In the event a Trip Count conducted upon Full Occupation of the Residential Units shows that the vehicle trips generated by the Residential Units at the time the Trip Count is conducted are greater than the maximum number of trips allowed under the TDM Goals set forth above, then the TPM shall convene a meeting with FCDOT within thirty (30) days of the completion of the Trip Count to review the results of the Trip Count and the TDM Plan then in place and to develop modifications to the TDM Plan and the TDM Budget to address the surplus of trips. The TPM shall submit any revisions to the TDM Plan and TDM Budget to FCDOT within thirty (30) days following this meeting. If no written response is provided by FCDOT within sixty (60) days, the TPM's revisions to the TDM Plan and updated TDM Budget shall be deemed approved. Following approval of the revised TDM Plan and updated TDM Budget, the TPM shall (a) draw down on the TDM Remedy Fund, as needed; (b) increase the TDM Account with TDM Remedy Funds, if necessary, in order to cover any proportional additional costs to implement the updated TDM Budget; and (c) implement the provisions of the revised TDM Plan as developed in consultation with FCDOT.

- I. Ongoing Implementation of TDM Plan. Upon the expiration of the Applicant Control Period, the Applicant, a successor, or an assignee UOA/HOA/COA/CA, as applicable, shall be responsible for the ongoing implementation of the TDM Plan. The TPM shall conduct additional Trip Counts every two (2) years to determine whether the TDM Goals continue to be met. In the event an Annual Report submitted by the TPM demonstrates through trend analysis that a change in commuting patterns has occurred that is significant enough to reasonably call into question whether the TDM Goals continue to be met, then FCDOT may require the TPM to conduct additional Trip Counts on a more frequent basis (but not more frequently than once per year) to determine whether, in fact, the TDM Goals are being met.

- i. Continuation of TDM Plan. In the event subsequent Trip Counts conducted after the Applicant Control Period expires reveal that the actual trips generated remain equal to or less than the maximum number of trips permitted under the TDM Goals, then the TPM shall continue to implement the TDM Plan and to make Annual Reports to FCDOT.
- ii. Future Increases in Vehicle Trips. In the event subsequent Trip Counts conducted after the Applicant Control Period expires reveal that the actual

trips generated exceeds the maximum number of trips permitted under the TDM Goals, then the TPM shall resume conducting Trip Counts until such time as three (3) consecutive annual Trip Counts show that vehicle trips generated by the Residential Units once again are less than or equal to the TDM Goals. The TPM also shall convene a meeting with FCDOT within thirty (30) days of the completion of the Trip Count to review the results of the Trip Count and the TDM Plan then in place and to develop modifications to the TDM Plan and the TDM Budget to address the surplus of trips. The TPM shall submit any revisions to the TDM Plan and TDM Budget to FCDOT within thirty (30) days following this meeting. If no written response is provided by FCDOT within sixty (60) days, the TPM's revisions to the TDM Plan and updated TDM Budget shall be deemed approved. Following approval of the revised TDM Plan and updated TDM Budget, the TPM shall (a) draw down on the TDM Remedy Fund, as needed; (b) increase the TDM Account with TDM Remedy Funds, if necessary, in order to cover any proportional additional costs to implement the updated TDM Budget; and (c) implement the provisions of the revised TDM Plan as developed in consultation with FCDOT.

iii. Additional Trip Counts. The TPM shall repeat the process above (including additional adjustments to the TDM Plan, additional funding and additional monitoring) until the TDM Goals again have been met for three (3) consecutive years, whereupon the TPM shall then be required to conduct Trip Counts only every two (2) year, as described above.

I. Review of Trip Reduction Goals. At any time the TPM may request that FCDOT review the TDM Goals for the Residential Units and set a lower goal for vehicle trips reductions consistent with the results of Surveys and Trip Counts provided for in this proffer. In the event a revised lower goal is established, the TDM Goals shall be revised accordingly without the need for a PCA.

J. Enforcement. If the TPM fails to timely submit the Annual Report to FCDOT as required by this Proffer, the TPM shall have sixty (60) days within which to cure such violation. If after such sixty (60) day period the TPM has not submitted the delinquent Annual Report, then the Applicant and/or UOA/HOA/COA/CA, as applicable, shall be subject to a penalty of \$75 per day payable to Fairfax County to be used for multi-modal/transit related improvements in the vicinity of the Property until such time as the report is submitted to FCDOT.

RECREATIONAL FACILITIES

27. Amenities and Facilities for Residents. The Applicant shall provide as part of the Proposed Development facilities designed to meet the on-site recreational needs of the future residents of such units. Pursuant to Paragraph 2 of Section 16-409 of the Zoning Ordinance regarding developed recreational facilities, the Applicant shall expend a minimum of \$1,700.00 per non-Affordable Dwelling Unit on such recreational facilities. Prior to final bond release for any site plan for the Proposed Development, the balance of any funds not expended on-site shall

be contributed to the Fairfax County Park Authority for the provision of recreational facilities located in proximity to the Property. To satisfy the above Zoning Ordinance requirement, the Applicant shall make the following facilities or amenities available for the residential building:

- A. Swimming pool;
- B. Interior courtyard areas, which shall include informal seating areas, landscaping, hardscape areas, and passive recreation areas;
- C. Fitness center with stationary bikes, treadmills, weight training equipment with weight machines and free weights, etc.; and
- D. At least one of the following to be located in the area identified as "Lawn" on Sheet 11 of the CDP/FDP: i) bocce ball court, ii) putting green, iii) volleyball court, and/or iv) badminton court/equipment.

28. Parks Contribution. Prior to the issuance of the first RUP for the Proposed Development, the Applicant shall contribute \$1,786 per Residential Unit to the Fairfax County Park Authority for public parks. The public parks contribution shall escalate from the date of the approval of this Application to the date of payment in accordance with Proffer 37.

PUBLIC SCHOOLS CONTRIBUTION

29. Public Schools Contribution. Per the Residential Development Criteria Implementation Motion adopted by the Board of Supervisors on January 7, 2003, at the time of issuance of the first building permit for the residential building, the Applicant shall contribute \$816 per Residential Unit (based on an assumed rate of 0.087 students per unit multiplied by \$9,378 per student generated) constructed on the RBP & M Property to the Board of Supervisors for transfer to the Fairfax County School Board to be utilized for capital improvements and capacity enhancements to schools in the Reston area that serve the RBP & M Property. The public schools contribution shall escalate from the date of the approval of this Application to the date of payment in accordance with Proffer 37.

AFFORDABLE HOUSING

30. Affordable Dwelling Units. Regardless of whether the Proposed Development is exempt from the requirement to provide Affordable Dwelling Units ("ADUs") pursuant to Section 803 of Part 8 of Article 2 of the Fairfax County Zoning Ordinance in effect as of the approval date of this Application (the "ADU Ordinance"), the Applicant shall provide five percent (5%) of the total number of Residential Units constructed as part of the Proposed Development to be sold/rented as ADUs administered pursuant to the ADU Ordinance.

31. Workforce Dwelling Units. In addition to the number of ADUs required pursuant to Proffer 30, the Applicant also shall provide seven percent (7%) of the total number of Residential Units constructed as part of the Proposed Development to be sold/rented as Workforce Dwelling Units ("WDUs") administered as set forth in the "Board of Supervisors' Workforce Dwelling Unit Administrative Policy Guidelines" adopted October 15, 2007. When the required number of WDUs results in a fractional unit less than 0.5, the number shall be rounded down to the next

whole number. When the required number of WDUs results in a fractional unit greater than or equal to 0.5, the number shall be rounded up to the next whole number. Notwithstanding the foregoing, the Applicant reserves the right to enter into a separate binding written agreement with the appropriate Fairfax County agency as to the terms and conditions of the administration of the WDUs following approval of this Application. Such an agreement shall be on terms mutually acceptable to both the Applicant and Fairfax County and may occur after the approval of this Application. Neither the Board of Supervisors nor Fairfax County shall be obligated to execute such an agreement. If such an agreement is executed by all applicable parties, then the WDUs shall be administered solely in accordance with such agreement and the provisions of this proffer shall become null and void. Such an agreement and any modifications thereto shall be recorded in the land records of Fairfax County.

GREEN BUILDING

32. Green Building for the Residential Units. In order to promote energy conservation and green building techniques, the Applicant shall select one of the following programs to be implemented and will inform the Environment and Development Review Branch of DPZ which program the Applicant has chosen as part of the first site plan submission for the Proposed Development.

- A. NAHB Green. If the Applicant selects NABH Green, then the Applicant shall seek certification of the Residential Units in accordance with the National Association of Home Builders ("NAHB") National Green Building Certification rating system using the Energy Star Qualified Homes path for energy performance, as demonstrated through documentation submitted to DPWES and the Environment and Development Review Branch of DPZ from a home energy rater certified through the NAHB Research Center that demonstrates each Residential Unit has attained Bronze level certification prior to the issuance of the RUP for each unit.
- B. LEED New Construction or LEED for Homes Multifamily Mid-Rise. If the Applicant selects LEED New Construction or LEED for Homes Multifamily Mid-Rise, then the Applicant will include, as part of the site plan submission and building plan submission, a list of specific credits within the most current version of the U.S. Green Building Council's Leadership in Energy and Environmental Design—for Homes Multifamily Mid-Rise (LEED®-for Homes Multifamily Mid-Rise) or LEED-NC rating system determined to be applicable to the residential building in consultation with the Environment and Development Review Branch of the DPZ. A LEED-accredited professional ("LEED-AP") who is also a professional engineer or licensed architect will provide certification statements at both the time of site plan review and the time of building plan review confirming that the items on the list will meet at least the minimum number of credits necessary to attain LEED certification of the project.

In addition, the Applicant will designate the Chief of the Environment and Development Review Branch of the DPZ as a team member in the USGBC's LEED Online system. This team member will have privileges to review the

project status and monitor the progress of all documents submitted by the project team, but will not be assigned responsibility for any LEED credits and will not be provided with the authority to modify any documentation or paperwork.

Prior to building plan approval, the Applicant will submit documentation, to the Environment and Development Review Branch of DPZ, regarding the U.S. Green Building Council's preliminary review of design-oriented credits in the LEED program. This documentation will demonstrate that the residential building is anticipated to attain a sufficient number of design-related credits that, along with the anticipated construction-related credits, will be sufficient to attain LEED certification. Prior to release of the bond for the project, the Applicant shall provide documentation to the Environment and Development Review Branch of DPZ demonstrating the status of attainment of LEED certification or a higher level of certification from the U.S. Green Building Council for the building.

If the U.S. Green Building Council's review of design-oriented credits indicates that the project is not anticipated to attain a sufficient number of design-related credits to support attainment of LEED certification, the Applicant will post a "green building escrow" in the form of cash or a letter of credit from a financial institution authorized to do business in the Commonwealth of Virginia in the amount of \$2 per gross square foot of the residential building. This escrow will be in addition to and separate from other bond requirements and will be released upon demonstration of attainment of LEED certification, or higher level of certification, by the U.S. Green Building Council, under the most current version of the LEED for Homes Multifamily Mid-Rise rating system or the LEED-NC rating system. The provision to the Environment and Development Review Branch of DPZ of documentation from the U.S. Green Building Council that the building has attained LEED certification will be sufficient to satisfy this commitment.

If the Applicant provides to the Environment and Development Review Branch of DPZ, within one year after issuance of the final RUP for the residential building, documentation demonstrating that LEED certification for the building has not been attained but that the building has been determined by the U.S. Green Building Council to fall within three points of attainment of LEED certification, fifty percent (50%) of the escrow will be released to the Applicant; the other fifty percent (50%) will be released to Fairfax County and will be posted to a fund within the County budget supporting implementation of County environmental initiatives.

If the Applicant fails to provide, within one year after issuance of the final RUP for the residential building, documentation to the Environment and Development Review Branch of DPZ demonstrating attainment of LEED certification or demonstrating that the building has fallen short of LEED certification by three points or less, the entirety of the escrow for that building will be released to

Fairfax County and will be posted to a fund within the County budget supporting implementation of County environmental initiatives.

If the Applicant provides documentation from the USGBC demonstrating, to the satisfaction of the Environment and Development Review Branch of DPZ, that USGBC completion of the review of the LEED certification application has been delayed through no fault of the Applicant, the Applicant's contractors or subcontractors, the time frame may be extended as determined appropriate by the Zoning Administrator, and no release of escrowed funds shall be made to the Applicant or to the County during the extension.

- C. EarthCraft. If the Applicant selects EarthCraft, then the Applicant shall provide documentation to DPWES and DPZ that the residential building has been awarded certification in accordance with the EarthCraft House Program prior to the issuance of the first RUP for the residential building.

ARCHITECTURE

33. Architectural Design and Building Materials. The architectural design and building materials for the residential building shall be in general conformance with the elevations shown on Sheets 13C and 13D of the CDP/FDP. Exterior building materials for the residential building shall be selected by the Applicant from among the following: brick, masonry/stone, aluminum, steel, glass, cementitious paneling and siding, and architectural pre-cast concrete headers, sills, and trim details, provided that final architectural details and accents may include other materials.

MISCELLANEOUS PROFFERS

34. Advance Density Credit. The Applicant reserves density credit as may be permitted by the provisions of Paragraph 4 of Section 2-308 of the Zoning Ordinance for all eligible dedications described herein.
35. Successors and Assigns. These proffers will bind and inure to the benefit of the Applicant and its successors and assigns. Each reference to "Applicant" in this proffer statement shall include within its meaning and shall be binding upon Applicant's successor(s) in interest and/or developer(s) of the site or any portion of the site.
36. Counterparts. These proffers may be executed in one or more counterparts, each of which when so executed and delivered shall be deemed an original, and all of which taken together shall constitute but one and the same instrument.
37. Annual Escalation Clause. For all proffers in this document specifying monetary contributions, the contribution and/or budget amount shall escalate or de-escalate, as applicable, on a yearly basis from the base year of 2012 and change effective each January 1 thereafter, as permitted by Section 15.2-2303.3 of the Code of Virginia, as amended.

[Signature pages follow]

RBP & M, LLC,
a Virginia limited liability company

By: _____
Name: Charles A. Veatch, II
Title: Manager

SECTION 913 LIMITED PARTNERSHIP,
a Virginia limited partnership

By: _____

Name: Charles A. Veatch, II

Title: General Partner and Limited Partner

BOZZUTO DEVELOPMENT COMPANY,
a Maryland corporation

By: _____

Name: Steven A. Strazzella

Title: Senior Vice President

REZONING AFFIDAVIT

DATE: February 1, 2013
(enter date affidavit is notarized)

I, Brian J. Winterhalter, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) ☐ applicant
 ☒ applicant's authorized agent listed in Par. 1(a) below

1091336

in Application No.(s): RZ/FDP 2010-HM-008
(enter County-assigned application number(s), e.g. RZ 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

- 1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Bozzuto Development Company Agents: Steven A. Strazzella Eric (nmi) Fenton Jeffrey M. Kayce	7850 Walker Drive Greenbelt, MD 20770	Applicant/Contract Purchaser of Tax Map 17-4 ((19)) 1, 2, 3, 4, 5A and 6A
RBP&M, LLC Agent: Charles A. Veatch, II	11160-C1 South Lakes Drive Suite 805 Reston, VA 20191	Applicant/Title Owner of Tax Map 17-4 ((19)) 1, 2, 3, 4, 5A and 6A
Section 913 Limited Partnership Agent: Charles A. Veatch, II	11103 King's Cavalier Court Oakton, VA 22124	Applicant/Title Owner of Tax Map 17-4 ((24)) 4B

(check if applicable) ☒ There are more relationships to be listed and Par. 1(a) is continued on a "Rezoning Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Rezoning Attachment to Par. 1(a)

DATE: February 1, 2013
(enter date affidavit is notarized)

1091336

for Application No. (s): RZ/FDP 2010-HM-008
(enter County-assigned application number (s))

(NOTE): All relationships to the application are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Urban Engineering & Associates, LLC (t/a Urban, Ltd.) Agents: Eric S. Siegel, P.E. Joshua E. Orndorff, P.E. (former) Matthew (nmi) Koirtyohann, P.E. Peter F. Crawford, P.E.	7712 Little River Turnpike Annandale, VA 22003	Engineer/Agent
Gorove/Slade Associates, Inc. Agents: Christopher M. Tacinelli, P.E. Felice B. Brychta, P.E.	3914 Centreville Road Suite 330 Chantilly, VA 20151	Traffic Engineer/Agent
Cooley LLP Agents: Antonio J. Calabrese, Esq. Mark C. Looney, Esq. Colleen Gillis Snow, Esq. Jill S. Parks, Esq. Brian J. Winterhalter, Esq. Shane M. Murphy, Esq. John P. Custis, Esq. (former attorney/agent) Jeffrey A. Nein Ben I. Wales Molly M. Novotny Katherine P. Humphrey	Reston Town Center One Freedom Square 11951 Freedom Drive Reston, VA 20190	Attorney/Agent
KTGY Group, Inc. Agents: Mark D. Drake, AIA, NCARB Melody (nmi) Nobleza Rohit (nmi) Anand	8605 Westwood Center Drive Suite 300 Vienna, VA 22182	Architect/Agent
The Martin Architectural Group, P.C. Former Agent: Ronald D. Seiboth, AIA	240 North 22nd Street Philadelphia, PA 19103	Former Architect/Agent

(check if applicable)

[]

There are more relationships to be listed and Par. 1(a) is continued further on a "Rezoning Attachment to Par. 1(a)" form.

REZONING AFFIDAVIT

DATE: February 1, 2013
(enter date affidavit is notarized)

1041336

for Application No. (s): RZ/FDP 2010-HM-008
(enter County-assigned application number(s))

- 1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders, and if the corporation is an owner of the subject land, all of the OFFICERS and DIRECTORS of such corporation:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Bozzuto Development Company
7850 Walker Drive, Suite 400
Greenbelt, MD 20770

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

Thomas S. Bozzuto John B. Slidel
Thomas S. Bozzuto Jr.
Richard L. Mostyn

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name & title, e.g. **President, Vice President, Secretary, Treasurer, etc.**)

Thomas S. Bozzuto Jr., President
Steven A. Strazella, Senior Vice President
Doris (nmi) Topel, Senior Vice President

(check if applicable) ☒ There is more corporation information and Par. 1(b) is continued on a "Rezoning Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(b)

DATE: February 1, 2013
(enter date affidavit is notarized)

1091336

for Application No. (s): RZ/FDP 2010-HM-008
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

RBP&M, LLC
11160-C1 South Lakes Drive, Suite 805
Reston, VA 20191

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

Charles A. Veatch, II

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)

Charles A. Veatch, II - Founding Member and Manager

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Urban Engineering & Associates, LLC (t/a Urban, Ltd.)
7712 Little River Turnpike
Annandale, VA 22003

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Barry B. Smith (former)
J. Edgar Sears, Jr.
Brian A. Sears

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g.

President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable) ☒ There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

Rezoning Attachment to Par. 1(b)

DATE: February 1, 2013
(enter date affidavit is notarized)

1091336

for Application No. (s): RZ/FDP 2010-HM-008
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Grove/Slade Associates, Inc.
3914 Centreville Road, Suite 330
Chantilly, VA 20151

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

Christopher M. Tacinelli
Chad A. Baird
Daniel B. VanPelt
Erwin N. Andres

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

KTGY Group, Inc.
8605 Westwood Center Drive, Suite 300
Vienna, VA 22182

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
- ☒ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- ☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

John P. Tully
Jill D. Williams
Patricia A. Esser
Manuel G. Gonzalez

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable) ☒ There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

Rezoning Attachment to Par. 1(b)

DATE: February 1, 2013
(enter date affidavit is notarized)

1091336

for Application No. (s): RZ/FDP 2010-HM-008
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

The Martin Architectural Group, P.C.
240 North 22nd Street
Philadelphia, PA 19103

(former)

DESCRIPTION OF CORPORATION: (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDER: (enter first name, middle initial, and last name)

James M. Riviello
Charles D. Harker
Timothy F. Wentz

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

DESCRIPTION OF CORPORATION: (check one statement)

- ☐ There are 10 or less shareholders, and all of the shareholders are listed below.
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

NAMES OF OFFICERS & DIRECTORS: (enter first name, middle initial, last name, and title, e.g. President, Vice-President, Secretary, Treasurer, etc.)

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued further on a "Rezoning Attachment to Par. 1(b)" form.

REZONING AFFIDAVIT

DATE: February 1, 2013
(enter date affidavit is notarized)

1091336

for Application No. (s): RZ/FDP 2010-HM-008
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state and zip code)

Cooley LLP
Reston Town Center
One Freedom Square
11951 Freedom Drive
Reston, VA 20190

(check if applicable) ☒ The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

Gian-Michele a Marca
Jane K. Adams
Maureen P. Alger
DeAnna D. Allen
Thomas R. Amis
Mazda K. Antia
Orion (nmi) Armon
Gordon C. Atkinson
Michael A. Attanasio
Jonathan P. Bach
Charles J. Bair
Scott S. Balber
Celia Goldwag Barentholtz
Frederick D. Baro
Matthew S. Bartus
James A. Beldner

Keith J. Berets
Connie N. Bertram
Laura Grossfield Birger
Barbara L. Borden
Thomas A. Blinka
Ian B. Blumenstein
Jodie M. Bourdet
Wendy J. Brenner
Matthew J. Brigham
James P. Brogan
Nicole C. Brookshire
Matthew D. Brown
Alfred L. Browne, III
Matthew T. Browne
Peter F. Burns

Robert T. Cahill
Antonio J. Calabrese
Christopher C. Campbell
William Lesse Castleberry
Lynda K. Chandler
Reuben H. Chen
Dennis (nmi) Childs
William T. Christensen, II
Sean M. Clayton
Samuel S. Coates
Jeffrey L. Cohen
Thomas A. Coll
Joseph W. Conroy
Jennifer B. Coplan
Carolyn L. Craig

(check if applicable) ☒ There is more partnership information and Par. 1(c) is continued on a "Rezoning Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Rezoning Attachment to Par. 1(c)

DATE: February 1, 2013
(enter date affidavit is notarized)1091336for Application No. (s): RZ/FDP 2010-HM-008
(enter County-assigned application number (s))**PARTNERSHIP NAME & ADDRESS:** (enter complete name & number, street, city, state & zip code)Cooley LLP
Reston Town Center, One Freedom Square
11951 Freedom Drive
Reston, VA 20190(check if applicable) ☒ The above-listed partnership has no limited partners.**NAMES AND TITLES OF THE PARTNERS:** (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)John W. Crittenden
Janet L. Cullum
Nathan K. Cummings
John A. Dado
Benjamin G. Damstedt
Craig E. Dauchy
Wendy (nmi) Davis
Renee R. Deming
Joseph M. Drayton
Darren K. DeStefano
Jennifer Fonner DiNucci
Michelle C. Doolin
Christopher (nmi) Durbin
John C. Dwyer
Shannon (nmi) Eagan
Robert L. Eisenbach, III
Gordon H. Empey
Sonya F. Erickson
Lester J. Fagen
Jesse D. Farmer
Brent D. Fassett
M. Wainwright Fishburn, Jr.
Steven L. Friedlaner
Thomas J. Friel, Jr.
Francis (nmi) Fryscak
Koji F. Fukumura
James F. Fulton, Jr.
William S. Galliani
W. Andrew H. Gantt III
Stephen D. Gardner
Jon E. Gavenman
Colleen P. Gillis Snow
Kathleen A. Goodhart
Lawrence C. Gottlieb
Shane L. Goude
William E. GrauerJonathan G. Graves
Jacqueline I. Grise
Kenneth L. Guernsey
Patrick P. Gunn
Jeffrey M. Gutkin
John B. Hale
Danish (nmi) Hamid
Walter G. Hanchuk
Bernard L. Hatcher
Matthew B. Hemington
David M. Hernand
Cathy Rae Herscopf
John (nmi) Heslon
Gordon K. Ho
Suzanne Sawochka Hooper
Lila W. Hope
Mark M. Hrenya
Christopher R. Hutter
Jay R. Indyke
Craig D. Jacoby
Eric C. Jensen
Mark L. Johnson
Robert L. Jones
Barclay J. Kamb
Richard S. Kanowitz
Kimberly J. Kaplan-Gross
Jeffrey S. Karr
Sally A. Kay
Heidi M. Keefe
Jason L. Kent
John (nmi) Kheit
Charles S. Kim
Kevin M. King
Michael J. Klisch
Jason M. Koral
Barbara A. Kosacz
Kenneth J. Krisko
John S. KyleMedhi (nmi) Khodadad
Carol Denise Laherty
Mark F. Lambert
Matthew E. Langer
Samantha M. LaPine
John G. Lavoie
Robin J. Lee
Ronald S. Lemieux
Natasha (nmi) Leskovsek
Shira Nadich Levin
Alan (nmi) Levine
Michael S. Levinson
Stephane (nmi) Levy
Elizabeth L. Lewis
Michael R. Lincoln
James C. T. Linfield
Chet F. Lipton
Cliff Z. Liu
Samuel M. Livermore
Douglas P. Lobel
J. Patrick Loofbourrow
Mark C. Looney
Robert B. Lovett
Andrew P. Lustig
Lori (nmi) Mason
Thomas O. Mason
Jennifer (nmi) Massey
Joshua O. Mates
Keith A. McDaniels
Michael J. McGrail
John T. McKenna
Bonnie Weiss McLeod
Mark A. Medearis
Laura M. Medina(check if applicable) ☒ There is more partnership information and Par. 1(c) is continued further on a
"Rezoning Attachment to Par. 1(c)" form.

Rezoning Attachment to Par. 1(c)

DATE: February 1, 2013
(enter date affidavit is notarized)

1091534

for Application No. (s): RZ/FDP 2010-HM-008

(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)Cooley LLP
One Freedom Square, Reston Town Center
11951 Freedom Drive, Suite 1500
Reston, VA 20190(check if applicable) ☒ The above-listed partnership has no limited partners.**NAMES AND TITLES OF THE PARTNERS:** (enter first name, middle initial, last name, and title, e.g., General Partner, Limited Partner, or General and Limited Partner)Craig A. Menden
Erik B. Milch
Chadwick L. Mills
Patrick J. Mitchell
Ali M.M. Mojdehi
Ann M. Mooney
Timothy J. Moore
William B. Morrow III
Howard (nmi) Morse
Frederick T. Muto
Ryan (nmi) Naftulin
Stephen C. Neal
Ian (nmi) O'Donnell
Kathleen (nmi) Pakenham
Nikesh (nmi) Patel
Timothy G. Patterson
Amy Elizabeth Paye
Anne H. Peck
D. Bradley Peck
David G. Peinsipp
Nicole K. Peppe
Susan Cooper Philpot
Benjamin D. Pierson
Frank V. Pietrantonio
Mark B. Pitchford
Michael L. Platt
Christian E. Plaza
Marya A. Postner
Steve M. Przesmicki
Seth A. Rafkin
Frank F. Rahmani
Marc (nmi) Recht
Thomas Z. Reicher
Michael G. Rhodes
Michelle S. Rhyu
Lyle (nmi) Roberts
John W. RobertsonRicardo (nmi) Rodriguez
Kenneth J. Rollins
Adam J. Ruttenberg
Thomas R. Salley, III
Jessica Valenzuela Santamaria
Daniel P. Meehan
Beatriz (nmi) Mejia
Danielle Naftulin Reed
Martin S. Schenker
Joseph A. Scherer
Marc G. Schildkraut
William J. Schwartz
Audrey K. Scott
John H. Sellers
Ian R. Shapiro
Michael N. Sheetz
Christopher (nmi) Shoff
Jordan A. Silber
Brent B. Siler
Steven R. Smith
Tower C. Snow
Whitty (nmi) Somvichian
Wayne O. Stacy
Anthony M. Stiegler
Steven M. Strauss
Christopher J. Sundermeier
Ronald R. Sussman
C. Scott Talbot
Mark P. Tanoury
Gregory C. Tenhoff
Michael E. Tenta
Timothy S. TeterGlen Y. Sato
Michael S. Tuscan
Miguel J. Vega
Erich E. Veitenheimer, III
Aaron J. Velli
Emily Woodson Wagner
David A. Walsh
David M. Warren
Mark B. Weeks
Steven K. Weinberg
Mark R. Weinstein
Thomas S. Welk
Peter H. Werner
Francis R. Wheeler
Brett D. White
Geoffrey T. Willard
Andrew S. Williamson
Peter J. Willsey
Mark Winfield-Hansen
Nancy H. Wojtas
Jessica R. Wolff
Nan (nmi) Wu
Babak (nmi) Yaghmaie
David (nmi) Young
Kevin J. Zimmer
Christina (nmi) Zhang(check if applicable) ☒ There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

Rezoning Attachment to Par. 1(c)

DATE: February 1, 2013
(enter date affidavit is notarized)

1091336

for Application No. (s): RZ/FDP 2010-HM-008
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

Cooley LLP
One Freedom Square, Reston Town Center
11951 Freedom Drive, Suite 1500
Reston, VA 20190

(check if applicable) ☒ The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g., General Partner, Limited Partner, or General and Limited Partner)

• Former Partners:

Frederick D. Baron
Robert J. Brigham
Roel C. Campos
Scott D. Devereaux
Erik S. Edwards
David J. Fischer
Daniel W. Frank
Richard H. Frank
William S. Freeman
Alison J. Freeman-Gleason
Chrystal N. Jensen
Kevin F. Kelly
James C. Kitch
David A. Lipkin
Robert H. Miller
Kevin P. Mullen
Alison (nmi) Newman
William H. O'Brien
Vincent P. Pangrazio
Thomas F. Poche
Anna B. Pope
Richard S. Rothberg
Richard S. Sanders
Mark D. Spoto
Neal J. Stephens
Donald K. Stern
Michael D. Stern
Robert R. Vieth
Lois K. Voetz
Mavis L. Yee
Alan S. Cohen
Thomas D. O'Connor
Myron G. Sugarman
Christopher A. Westover

(check if applicable) ☒ There is more partnership information and Par. 1(c) is continued further on a "Rezoning Attachment to Par. 1(c)" form.

Rezoning Attachment to Par. 1(c)

DATE: February 1, 2013
(enter date affidavit is notarized)

1091336

for Application No. (s): RZ/FDP 2010-HM-008
(enter County-assigned application number (s))

PARTNERSHIP NAME & ADDRESS: (enter complete name & number, street, city, state & zip code)

Section 913 Limited Partnership
11103 King's Cavalier Court
Oakton, VA 22124

(check if applicable) ☐ The above-listed partnership has no limited partners.

NAMES AND TITLES OF THE PARTNERS: (enter first name, middle initial, last name, and title, e.g.,
General Partner, Limited Partner, or General and Limited Partner)

Charles A. Veatch, II - General Partner &
Limited Partner

Salvatore C. Palumbo - General Partner &
Limited Partner

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued further on a
"Rezoning Attachment to Par. 1(c)" form.

REZONING AFFIDAVIT

DATE: February 1, 2013
(enter date affidavit is notarized)

1091336

for Application No. (s): RZ/FDP 2010-HM-008
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

☐ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

☒ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

None

(check if applicable) ☐ There are more interests to be listed and Par. 2 is continued on a "Rezoning Attachment to Par. 2" form.

REZONING AFFIDAVIT

DATE: February 1, 2013
 (enter date affidavit is notarized)

1091338

for Application No. (s): RZ/FDP 2010-HM-008
 (enter County-assigned application number(s))

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)

None

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) ☐ There are more disclosures to be listed and Par. 3 is continued on a "Rezoning Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

☐ Applicant

☒ Applicant's Authorized Agent

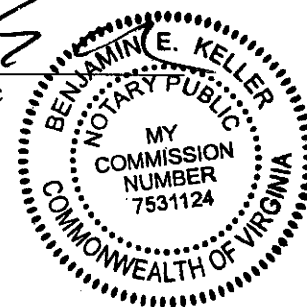
Brian J. Winterhalter, Esquire

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 1st day of February, 20 13, in the State/Comm. of Virginia, County/City of Fairfax

My commission expires: December 31st, 2016

Notary Public



Planning & Zoning
JUL 20 2012
Zoning Evaluation Division

**RBP & M, LLC
BOZZUTO DEVELOPMENT COMPANY
SECTION 913 LIMITED PARTNERSHIP
STATEMENT OF JUSTIFICATION
RZ/CDP/FDP 2010-HM-008**

November 9, 2010
Revised July 18, 2012

I. Introduction

RBM & M, LLC and Bozzuto Development Company and Section 913, LP (collectively, the "Applicant") propose to develop the properties identified on the Fairfax County Tax Map as 17-4 ((19)) Parcels 1, 2, 3, 4, 5A, and 6A (the "RBP & M Property") and 17-4 ((24)) Parcel 4B (the "Section 913 Property" and, collectively with the RBP & M Property, the "Property") with a mixed-use, transit-oriented development in the Wiehle Avenue Transit Station Area. The Applicant's proposes to develop the RBP & M Property with one mid-rise, multi-family residential building with a maximum of 421 dwelling units and up to 10,000 square feet of support retail uses and to maintain the existing 30,608 square foot office building on the Section 913 Property.

The Applicant's proposed development of the Property fulfills the vision of the Fairfax County Comprehensive Plan for pedestrian-friendly, mixed-use development with a substantial residential component within walking distance of the Wiehle Avenue Metro Station. The Applicant's proposed rezoning also provides an opportunity to help establish a grid of streets that will improve access to the Metro station and benefit not only the Wiehle Avenue Transit Station Area, but also the larger Reston community.

II. Location and Existing Conditions

The Property is located west of Wiehle Avenue, south of Sunset Hills Road, and north of the Dulles Toll Road in the Hunter Mill District of Fairfax County. It is within Sub-Unit G-4 of the Reston-Herndon Suburban Center portion of the Comprehensive Plan. The Property is comprised of seven parcels totaling approximately 6.3 acres and is zoned I-4 Medium Intensity Industrial District. The RBP & M Property currently is developed with an 88,000 square foot mini-warehouse/self-storage facility and 32,000 square feet of flex industrial uses (50 percent office and 50 percent warehouse), and the Section 913 Property currently is developed with a 30,608 square foot office building. The Property has only surface parking, little landscaping, and minimal open space. It has one access point via Sunset Hills Road.

III. Comprehensive Plan for the Wiehle Avenue Transit Station Area

A. The Evolution of the Dulles Corridor

The Fairfax County Comprehensive Plan identifies the Reston-Herndon Suburban Center as an area planned for a mix of housing and employment uses. The Plan further describes the

Wiehle Avenue Transit Station Area as a location where the County should implement transit-oriented development with a mix of residential, office, and retail uses in a pedestrian-friendly environment. This vision of the transit station area as a mixed-use center with a substantial residential component represents an evolution of Fairfax County's planning principles since the founding of Reston over 45 years ago.

Since Reston's inception, the land area within the Reston Center for Industry and Government ("RCIG") has been subject to real covenants restricting residential, hotel, and most retail uses. In the 1960s, the founders of Reston envisioned the RCIG corridor as an exclusively office and light industrial area that would provide employment opportunities for future Reston residents. One of the primary purposes of the RCIG covenants was to ensure that such uses would not be in conflict with the residential uses planned throughout the Reston community.

The County maintained this single-use office/industrial concept for the RCIG corridor until 2001, when the Board of Supervisors first adopted Comprehensive Plan provisions recommending mixed-use development in the areas surrounding the planned Dulles corridor Metro stations. With these Plan changes, the County intended to generate Metro ridership by encouraging residential and office development close to the stations. In addition, the County adopted Transit-Oriented Development Guidelines in 2007 to further articulate its expectations for future development in the transit station areas. It was not until the RCIG property owners voted to vacate the covenants, however, that the County could begin to implement the vision of mixed-use, transit-oriented development in the RCIG corridor.

B. Current Comprehensive Plan Recommendations for the Property

The Comprehensive Plan recommendations for the Property recognize that a balanced mix of residential and non-residential uses is a critical aspect of successful transit-oriented development. In order to achieve the County's vision for the Wiehle Avenue Transit Station Area, the Plan includes a rail-oriented residential mixed-use option for Sub-Unit G-4. Specifically, the Plan recommends a 2.5 FAR for the 17 acres closest to the transit station with a mix of 40 to 75 percent residential uses and some combination of office, hotel, and support retail uses of 25 to 60 percent (with office uses not exceeding 40 percent of the total gross floor area). The mixed-use development envisioned in the Plan will provide transportation benefits by encouraging the use of Metrorail and creating internal synergies among land uses.

The Comprehensive Plan also includes a series of conditions to achieve successful transit-oriented development within Sub-Unit G-4. In order to implement the rail-oriented mixed-use option, the Plan recommends substantial parcel consolidation and a quality site layout with consolidated vehicular access, parking structures that do not front on pedestrian areas, a maximum building height of 140 feet, and retail uses oriented to pedestrian walkways. The Plan encourages pedestrian walkways to facilitate circulation throughout the area and to provide direct pedestrian access to the transit station. Development also should utilize Transportation Demand Management ("TDM") measures to reduce single occupancy vehicle trips. In sum, the Plan conditions are intended to ensure that development in the transit station area creates an active, pedestrian-oriented environment and encourages people to use the Wiehle Avenue Metro Station.

IV. Proposed Mixed-Use, Transit-Oriented Development

A. Overview of the Proposed Development

The Applicant proposes to amend the zoning district for the Property from the I-4 Medium Intensity Industrial District to the Planned Residential Mixed-Use ("PRM") District. The application includes a Concept Development Plan and a Final Development Plan depicting the layout of the proposed residential and retail building for the RBP & M Property. The Applicant proposes to develop the RBP & M Property with a maximum of 421 residential units and up to 10,000 square feet of support retail uses. The proposed development represents a 2.5 FAR for the RBP & M Property.

Although the Applicant is not proposing any changes to the exiting office building on the Section 913 Property, the Applicant proposes to rezone the Section 913 Property with this application to provide an opportunity for the future intensification of office use as recommended in the Fairfax County Comprehensive Plan. Section 913, LP, looks forward to redeveloping its property with additional office space, possibly as part of a consolidation with one or more adjacent properties, at some time in the future. The proposed development of the RBP & M Property with residential and retail uses and the opportunity for additional future office development on the Section 913 Property are consistent with the land use and intensity recommendations of the rail-oriented residential mixed-use option in the Comprehensive Plan.

B. Mid-Rise Residential Building

Consistent with the Comprehensive Plan's vision for a substantial residential component within the Wiehle Avenue Transit Station Area, the Applicant proposes to develop the RBP & M Property with up to 421 residential units in a single mid-rise building. The proposed building will provide an appropriate transition in development intensity from the high-rise buildings planned adjacent to the Wiehle Avenue Metro Station and the lower-intensity development north of Sunset Hills Road. Parking will be provided in a garage underneath the residential units with parking levels that are both below and above grade. The proposed design includes interior courtyards with landscaping, seating areas, and a swimming pool. These amenities provide substantially more landscaping and open space than currently existing at the Property.

The Applicant's proposal to replace a low-rise mini-warehouse facility with a residential building near the Wiehle Avenue Metro Station represents an important milestone in the evolution of the Dulles corridor. The proposed residential development, along with other planned residential projects, begins the transformation of the Wiehle Avenue area from its exclusively office/light industrial past to a future of mixed-use, transit-oriented, and pedestrian-friendly development. As part of this transformation, the Applicant will provide pedestrian connections and substantial streetscape improvements for the Property in order to facilitate access to the Metro station. The contemplated improvements will create the type of attractive and pedestrian-friendly environment envisioned in the Comprehensive Plan.

The proposed residential development will help create a critical mass of residents in the Wiehle Avenue area to generate Metro ridership in support of the County's transit-oriented

development objectives. The pedestrian-friendly streetscape and transit-oriented environment will encourage the office employees, residents, and visitors to use Metro, which will generate meaningful reductions in single occupancy vehicle trips and provide air quality benefits for the region. The Applicant's proposed residential development is an integral aspect of achieving the Comprehensive Plan's vision for the Wiehle Avenue Transit Station Area.

C. Complementary Retail Uses

The Applicant proposes up to 10,000 square feet of retail uses to support the office employees and residents of the proposed development. Such retail uses will provide employees and residents the opportunity to meet a portion of their daily retail and service needs without making additional vehicle trips. As recommended in the Plan, the proposed retail spaces will have direct public access and display windows oriented to pedestrian walkways. These pedestrian walkways will link the Property to the surrounding transit-oriented development and facilitate connections to the Wiehle Avenue Metro Station. The retail uses will enhance the Applicant's proposed development and will benefit the planned mixed-use development surrounding the Wiehle Avenue Metro Station.

D. Access Improvements

The Applicant's proposed development of the RBP & M Property provides an opportunity to help create the grid of streets needed throughout the Wiehle Avenue Transit Station Area to improve access to the station. A grid of streets with additional connections is critical to achieving successful mixed-use, transit-oriented development, and the Applicant will provide some of these critical pedestrian connections. More specifically, the Applicant's proposed development provides an opportunity to achieve a portion of the Reston Metrorail Access Group recommendations for the Wiehle Avenue Transit Station Area. As noted above, the pedestrian network would be enhanced by ground-floor retail space and substantially improved streetscaping to encourage pedestrian circulation throughout the transit station area. The Applicant also will establish a TDM program to reduce the peak hour vehicle trips generated by the proposed development.

V. Conclusion

The Applicant's proposed development of the Property fulfills the vision of the Comprehensive Plan for mixed-use, transit-oriented development within walking distance of the Wiehle Avenue Metro Station. The substantial residential component supports the County's efforts to transform the RCIG corridor from an exclusively office/industrial location into a thriving, pedestrian-oriented, and mixed-use area. The support retail uses will provide on-site options for employees and residents of the transit station area. The proposed development also provides an opportunity to help establish a grid of streets with pedestrian improvements that are critical to the success of transit-oriented development at the Wiehle Avenue Metro Station.

Respectfully submitted,


Brian J. Winterhalter, Esq., Cooley LLP

For development in this sub-unit, including all baseline recommendations and options, pedestrian walkways should be provided to facilitate circulation throughout the land unit and should connect to walkways in adjacent land units and existing sidewalks or trails along major streets in or around the land unit. All proposed developments should be in conformance with the Urban Design Guidelines, located after the land unit recommendations.

Transit-oriented Residential Mixed-Use Option – At such time as a funding agreement for Bus Rapid Transit (BRT), as described in the Land Use section in the Suburban Center Areawide Recommendations, is reached, mixed-use development up to 1.0 FAR may be considered within Sub-unit G-3 provided that the mix of uses includes a residential component and a non-residential component that includes office, hotel, and support retail. The residential component should be at least 35% but no more than 50% of the total gross floor area of the development. Office use may not exceed 50% of the total gross floor area and support retail, to be located in office, hotel or residential buildings may not exceed 15% of the total gross floor area. In addition, the following condition should be met:

- Retail uses located on the ground floor should have direct public access and display windows oriented to pedestrian walkways, and where appropriate to vehicular drives and/or streets.



Sub-unit G-4 (part of Wiehle Avenue Transit Station Area)

Sub-unit G-4 is bounded by Sunset Hills Road on the north, Wiehle Avenue on the east and the Dulles Airport Access and Toll Road (DAAR) on the south. It is immediately adjacent to proposed location of the transit station platform for the Wiehle Avenue Transit Station. The uses in the sub-unit include office, a self-storage facility, a bank and a County-owned and operated park-and-ride facility.

This sub-unit is planned for office use at .50 FAR or residential use at up to 30 dwelling units per acre. In addition, the active recreation needs of the residents should be met either through provision of appropriate facilities on-site or a written agreement with another nearby residential development allowing use of their facilities.

The Department of Transportation is conducting a feasibility study (to conclude in Spring 2001) of expanding the Reston East parking lot. It is preferred that this parking be provided through a joint use arrangement with adjacent transit-oriented development, rather than as a single, stand-alone parking structure. To implement this concept, consideration may be given to development proposals that utilize the existing Reston East parking lot as well as adjacent parcels, in order to concentrate transit-oriented development in close proximity to the station, while providing additional parking in Sub-unit G-4 to meet anticipated demand.

For development in this sub-unit, including all baseline recommendations and options, pedestrian walkways should be provided to facilitate circulation throughout the land unit and should connect to walkways in adjacent land units and existing sidewalks or trails along major streets in or around the land unit. All proposed developments should be in conformance with the Urban Design Guidelines, located after the land unit recommendations.


Transit-oriented Non-residential Mixed-Use Option – At such time as a funding agreement for Bus Rapid Transit (BRT), as described in the Land Use section in the Suburban Center Areawide Recommendations, is reached, mixed-use development up to a .70 FAR may be considered within Sub-unit G-4 provided that the mix of uses includes office, hotel, institutional

and support retail. The office use may not exceed 70% of the total gross floor area and support retail, to be located in office or hotel buildings may not exceed 15% of the total gross floor area. In addition, the following conditions should be met:

- Retail uses located on the ground floor should have direct public access and display windows oriented to pedestrian walkways, and where appropriate to vehicular drives and/or streets.
- A second point of access (preferably to Sunset Hills Road) to this Sub-unit G-4 should be provided.

Transit-oriented Residential Mixed-Use Option – At such time as a funding agreement for Bus Rapid Transit (BRT), as described in the Land Use section in the Suburban Center Areawide Recommendations, is reached, mixed-use development up to a 1.5 FAR may be considered within Sub-unit G-4 provided that the mix of uses includes a residential component and a non-residential component that includes office, hotel, and support retail. The residential component should be at least 35% but no more than 50% of the total gross floor area of the development. Office use may not exceed 50% of the total gross floor area and support retail, to be located in office, hotel or residential buildings may not exceed 15% of the total gross floor area. In addition, the following condition should be met:

- Retail uses located on the ground floor should have direct public access and display windows oriented to pedestrian walkways, and where appropriate to vehicular drives and/or streets.
- A second point of access (preferably to Sunset Hills Road) to this Sub-unit G-4 should be provided.

 *Rail-oriented Residential Mixed-Use Option* – At such time as a funding agreement for rail, as described in the Land Use section in the Suburban Center Areawide Recommendations, is reached, mixed-use development up to a 2.5 FAR may be considered for the 17 acres within Sub-unit G-4 located closest to the rail station, provided that the mix of uses includes a residential component and a non-residential component that includes office, hotel, and support retail. The residential component should be at least 40% but no more than 75% of the total gross floor area of the development. Some combination of office, hotel and support retail uses may comprise 25-60% of the total gross floor area of the development with the office component comprising no more than 40% of the total. In addition, the following conditions should be met:

- Substantial parcel consolidation within the sub-unit should be achieved.
- The site should be adjacent to the rail station and provide direct pedestrian access to the station or be a part of a larger project, approved under a consolidated site plan or as concurrent applications, that provides direct pedestrian access to the station.
- Grade-separated pedestrian links to the rail station are encouraged.
- A quality site layout should be provided with consolidated vehicular access to the site, parking structures that do not front on pedestrian areas, and shared parking to the maximum extent possible.
- Building heights should be limited to 140 feet.

- Transportation Demand Management measures as discussed on page 6 should be utilized to the maximum extent possible.
- Retail uses located on the ground floor should have direct public access and display windows oriented to pedestrian walkways, and where appropriate to vehicular drives and/or streets.
- A second point of access (preferably to Sunset Hills Road) to this Sub-unit G-4 should be provided.

Sub-unit G-5 (part of Wiehle Avenue Transit Station Area)

Sub-unit G-5 consists of a two-building office park and is bounded on the north by Sunset Hills Road, on the west by Wiehle Avenue and on the south by the DAAR.

This sub-unit is planned for office use at .50 FAR or residential use at up to 30 dwelling units per acre. In addition, the active recreation needs of the residents should be met either through provision of appropriate facilities on-site or a written agreement with another nearby residential development allowing use of their facilities.

For development in this sub-unit, including all baseline recommendations and options, pedestrian walkways should be provided to facilitate circulation throughout the land unit and should connect to walkways in adjacent land units and existing sidewalks or trails along major streets in or around the land unit. All proposed developments should be in conformance with the Urban Design Guidelines, located after the land unit recommendations.

Transit-oriented Residential Mixed-Use Option – At such time as a funding agreement for Bus Rapid Transit (BRT), as described in the Land Use section in the Suburban Center Areawide Recommendations, is reached, mixed-use development up to a 1.0 FAR may be considered within Sub-unit G-5 provided that the mix of uses includes a residential component and a non-residential component that includes office, hotel, and support retail. The residential component should be at least 35% but no more than 50% of the total gross floor area of the development. Office use may not exceed 50% of the total gross floor area and support retail, to be located in office, hotel or residential buildings may not exceed 15% of the total gross floor area. In addition, the following condition should be met:

- Retail uses located on the ground floor should have direct public access and display windows oriented to pedestrian walkways, and where appropriate to vehicular drives and/or streets.

Rail-oriented Residential Mixed-Use Option – At such time as a funding agreement for rail, as described in the Land Use section in the Suburban Center Areawide Recommendations, is reached, mixed-use development up to a 1.5 FAR may be considered for Sub-unit G-5 provided that the mix of uses includes a residential component and a non-residential component that includes office, hotel, and support retail. The residential component should be at least 40% but no more than 75% of the total gross floor area of the development. Some combination of office, hotel and support retail uses may comprise 25-60% of the total gross floor area of the development with the office component comprising no more than 40% of the total. In addition, the following conditions should be met:

- Both parcels in the sub-unit should be consolidated.

- Grade-separated pedestrian access (bridge or tunnel) across Wiehle Avenue should be provided to facilitate access to the rail station.
- Transportation Demand Management measures as discussed on page 6 should be utilized to the maximum extent possible.
- Retail uses located on the ground floor should have direct public access and display windows oriented to pedestrian walkways, and where appropriate to vehicular drives and/or streets.

Sub-unit G-6 (part of Wiehle Avenue Transit Station Area)

Sub-unit G-6 is located along the south side of Sunset Hills Road, east of the Wiehle Avenue intersection. It is currently developed with office and limited support retail uses.

This sub-unit is planned for office use at .50 FAR or residential use at up to 30 dwelling units per acre. In addition, the active recreation needs of the residents should be met either through provision of appropriate facilities on-site or a written agreement with another nearby residential development allowing use of their facilities.

For development in this sub-unit, including all baseline recommendations and options, pedestrian walkways should be provided to facilitate circulation throughout the land unit and should connect to walkways in adjacent land units and existing sidewalks or trails along major streets in or around the land unit. All proposed developments should be in conformance with the Urban Design Guidelines, located after the land unit recommendations.

Transit-oriented Residential Mixed-Use Option – At such time as a funding agreement for Bus Rapid Transit (BRT), as described in the Land Use section in the Suburban Center Areawide Recommendations, is reached, mixed-use development up to a 1.0 FAR may be considered within Sub-unit G-6 provided that the mix of uses includes a residential component and a non-residential component that includes office, hotel, and support retail. The residential component should be at least 35% but no more than 50% of the total gross floor area of the development. Office use may not exceed 50% of the total gross floor area and support retail, to be located in office, hotel or residential buildings may not exceed 15% of the total gross floor area. In addition, the following condition should be met:

- Retail uses located on the ground floor should have direct public access and display windows oriented to pedestrian walkways, and where appropriate to vehicular drives and/or streets.

Sub-unit G-7

Sub-unit G-7 is located along Sunset Hills Road, east of the Wiehle Avenue TSA. Development in the sub-unit includes office uses and a US Post Office facility. This sub-unit is planned for a mix of office, R&D, and industrial “flex space” uses up to .50 FAR.

The westerly portion of the approximately 120-acre tract of land north of Sunset Hills Road immediately east of the Reston boundary is considered appropriate for industrial uses provided that:

APPENDIX 9

RESIDENTIAL DEVELOPMENT CRITERIA

Fairfax County expects new residential development to enhance the community by: fitting into the fabric of the neighborhood, respecting the environment, addressing transportation impacts, addressing impacts on other public facilities, being responsive to our historic heritage, contributing to the provision of affordable housing and, being responsive to the unique site specific considerations of the property. To that end, the following criteria are to be used in evaluating zoning requests for new residential development. The resolution of issues identified during the evaluation of a specific development proposal is critical if the proposal is to receive favorable consideration.

Where the Plan recommends a possible increase in density above the existing zoning of the property, achievement of the requested density will be based, in substantial part, on whether development related issues are satisfactorily addressed as determined by application of these development criteria. Most, if not all, of the criteria will be applicable in every application; however, due to the differing nature of specific development proposals and their impacts, the development criteria need not be equally weighted. If there are extraordinary circumstances, a single criterion or several criteria may be overriding in evaluating the merits of a particular proposal. Use of these criteria as an evaluation tool is not intended to be limiting in regard to review of the application with respect to other guidance found in the Plan or other aspects that the applicant incorporates into the development proposal. Applicants are encouraged to submit the best possible development proposals. In applying the Residential Development Criteria to specific projects and in determining whether a criterion has been satisfied, factors such as the following may be considered:

- the size of the project
- site specific issues that affect the applicant's ability to address in a meaningful way relevant development issues
- whether the proposal is advancing the guidance found in the area plans or other planning and policy goals (e.g. revitalization).

When there has been an identified need or problem, credit toward satisfying the criteria will be awarded based upon whether proposed commitments by the applicant will significantly advance problem resolution. In all cases, the responsibility for demonstrating satisfaction of the criteria rests with the applicant.

1. Site Design:

All rezoning applications for residential development should be characterized by high quality site design. Rezoning proposals for residential development, regardless of the proposed density, will be evaluated based upon the following principles, although not all of the principles may be applicable for all developments.

- a) *Consolidation:* Developments should provide parcel consolidation in conformance with any site specific text and applicable policy recommendations of the Comprehensive Plan. Should the Plan text not specifically address consolidation, the nature and extent of any proposed parcel consolidation should further the integration of the development with adjacent parcels. In any event, the proposed consolidation should not preclude nearby properties from developing as recommended by the Plan.

- b) *Layout*: The layout should:
- provide logical, functional and appropriate relationships among the various parts (e. g. dwelling units, yards, streets, open space, stormwater management facilities, existing vegetation, noise mitigation measures, sidewalks and fences);
 - provide dwelling units that are oriented appropriately to adjacent streets and homes;
 - include usable yard areas within the individual lots that accommodate the future construction of decks, sunrooms, porches, and/or accessory structures in the layout of the lots, and that provide space for landscaping to thrive and for maintenance activities;
 - provide logical and appropriate relationships among the proposed lots including the relationships of yards, the orientation of the dwelling units, and the use of pipestem lots;
 - provide convenient access to transit facilities;
 - Identify all existing utilities and make every effort to identify all proposed utilities and stormwater management outfall areas; encourage utility collocation where feasible.
- c) *Open Space*: Developments should provide usable, accessible, and well-integrated open space. This principle is applicable to all projects where open space is required by the Zoning Ordinance and should be considered, where appropriate, in other circumstances.
- d) *Landscaping*: Developments should provide appropriate landscaping: for example, in parking lots, in open space areas, along streets, in and around stormwater management facilities, and on individual lots.
- e) *Amenities*: Developments should provide amenities such as benches, gazebos, recreational amenities, play areas for children, walls and fences, special paving treatments, street furniture, and lighting.

2. Neighborhood Context:

All rezoning applications for residential development, regardless of the proposed density, should be designed to fit into the community within which the development is to be located. Developments should fit into the fabric of their adjacent neighborhoods, as evidenced by an evaluation of:

- transitions to abutting and adjacent uses;
- lot sizes, particularly along the periphery;
- bulk/mass of the proposed dwelling units;
- setbacks (front, side and rear);
- orientation of the proposed dwelling units to adjacent streets and homes;
- architectural elevations and materials;
- pedestrian, bicycle and vehicular connections to off-site trails, roadways, transit facilities and land uses;
- existing topography and vegetative cover and proposed changes to them as a result of clearing and grading.

It is not expected that developments will be identical to their neighbors, but that the development fit into the fabric of the community. In evaluating this criterion, the individual circumstances of the property will be considered: such as, the nature of existing and planned development surrounding and/or adjacent to the property; whether the property provides a transition between different uses or densities; whether access to an infill development is through an existing neighborhood; or, whether the property is within an area that is planned for redevelopment.

3. Environment:

All rezoning applications for residential development should respect the environment. Rezoning proposals for residential development, regardless of the proposed density, should be consistent with the policies and objectives of the environmental element of the Policy Plan, and will also be evaluated on the following principles, where applicable.

- a) *Preservation:* Developments should conserve natural environmental resources by protecting, enhancing, and/or restoring the habitat value and pollution reduction potential of floodplains, stream valleys, EQCs, RPAs, woodlands, wetlands and other environmentally sensitive areas.
- b) *Slopes and Soils:* The design of developments should take existing topographic conditions and soil characteristics into consideration.
- c) *Water Quality:* Developments should minimize off-site impacts on water quality by commitments to state of the art best management practices for stormwater management and better site design and low impact development (LID) techniques.
- d) *Drainage:* The volume and velocity of stormwater runoff from new development should be managed in order to avoid impacts on downstream properties. Where drainage is a particular concern, the applicant should demonstrate that off-site drainage impacts will be mitigated and that stormwater management facilities are designed and sized appropriately. Adequate drainage outfall should be verified, and the location of drainage outfall (onsite or offsite) should be shown on development plans.
- e) *Noise:* Developments should protect future and current residents and others from the adverse impacts of transportation generated noise.
- f) *Lighting:* Developments should commit to exterior lighting fixtures that minimize neighborhood glare and impacts to the night sky.
- g) *Energy:* Developments should use site design techniques such as solar orientation and landscaping to achieve energy savings, and should be designed to encourage and facilitate walking and bicycling. Energy efficiency measures should be incorporated into building design and construction.

4. Tree Preservation and Tree Cover Requirements:

All rezoning applications for residential development, regardless of the proposed density, should be designed to take advantage of the existing quality tree cover. If quality tree cover exists on site as determined by the County, it is highly desirable that developments meet most or all of their tree cover requirement by preserving and, where feasible and appropriate, transplanting existing trees. Tree cover in excess of ordinance requirements is highly desirable. Proposed utilities, including stormwater management and outfall facilities and

sanitary sewer lines, should be located to avoid conflicts with tree preservation and planting areas. Air quality-sensitive tree preservation and planting efforts (see Objective 1, Policy c in the Environment section of this document) are also encouraged.

5. Transportation:

All rezoning applications for residential development should implement measures to address planned transportation improvements. Applicants should offset their impacts to the transportation network. Accepted techniques should be utilized for analysis of the development's impact on the network. Residential development considered under these criteria will range widely in density and, therefore, will result in differing impacts to the transportation network. Some criteria will have universal applicability while others will apply only under specific circumstances. Regardless of the proposed density, applications will be evaluated based upon the following principles, although not all of the principles may be applicable.

- a) *Transportation Improvements:* Residential development should provide safe and adequate access to the road network, maintain the ability of local streets to safely accommodate traffic, and offset the impact of additional traffic through commitments to the following:
 - Capacity enhancements to nearby arterial and collector streets;
 - Street design features that improve safety and mobility for non-motorized forms of transportation;
 - Signals and other traffic control measures;
 - Development phasing to coincide with identified transportation improvements;
 - Right-of-way dedication;
 - Construction of other improvements beyond ordinance requirements;
 - Monetary contributions for improvements in the vicinity of the development.
- b) *Transit/Transportation Management:* Mass transit usage and other transportation measures to reduce vehicular trips should be encouraged by:
 - Provision of bus shelters;
 - Implementation and/or participation in a shuttle bus service;
 - Participation in programs designed to reduce vehicular trips;
 - Incorporation of transit facilities within the development and integration of transit with adjacent areas;
 - Provision of trails and facilities that increase safety and mobility for non-motorized travel.
- c) *Interconnection of the Street Network:* Vehicular connections between neighborhoods should be provided, as follows:
 - Local streets within the development should be connected with adjacent local streets to improve neighborhood circulation;
 - When appropriate, existing stub streets should be connected to adjoining parcels. If street connections are dedicated but not constructed with development, they should be identified with signage that indicates the street is to be extended;
 - Streets should be designed and constructed to accommodate safe and convenient usage by buses and non-motorized forms of transportation;
 - Traffic calming measures should be implemented where needed to discourage cut-through traffic, increase safety and reduce vehicular speed;

- The number and length of long, single-ended roadways should be minimized;
 - Sufficient access for public safety vehicles should be ensured.
- d) *Streets*: Public streets are preferred. If private streets are proposed in single family detached developments, the applicant shall demonstrate the benefits for such streets. Applicants should make appropriate design and construction commitments for all private streets so as to minimize maintenance costs which may accrue to future property owners. Furthermore, convenience and safety issues such as parking on private streets should be considered during the review process.
- e) *Non-motorized Facilities*: Non-motorized facilities, such as those listed below, should be provided:
- Connections to transit facilities;
 - Connections between adjoining neighborhoods;
 - Connections to existing non-motorized facilities;
 - Connections to off-site retail/commercial uses, public/community facilities, and natural and recreational areas;
 - An internal non-motorized facility network with pedestrian and natural amenities, particularly those included in the Comprehensive Plan;
 - Offsite non-motorized facilities, particularly those included in the Comprehensive Plan;
 - Driveways to residences should be of adequate length to accommodate passenger vehicles without blocking walkways;
 - Construction of non-motorized facilities on both sides of the street is preferred. If construction on a single side of the street is proposed, the applicant shall demonstrate the public benefit of a limited facility.
- f) *Alternative Street Designs*: Under specific design conditions for individual sites or where existing features such as trees, topography, etc. are important elements, modifications to the public street standards may be considered.

6. Public Facilities:

Residential development impacts public facility systems (i.e., schools, parks, libraries, police, fire and rescue, stormwater management and other publicly owned community facilities). These impacts will be identified and evaluated during the development review process. For schools, a methodology approved by the Board of Supervisors, after input and recommendation by the School Board, will be used as a guideline for determining the impact of additional students generated by the new development.

Given the variety of public facility needs throughout the County, on a case-by-case basis, public facility needs will be evaluated so that local concerns may be addressed.

All rezoning applications for residential development are expected to offset their public facility impact and to first address public facility needs in the vicinity of the proposed development. Impact offset may be accomplished through the dedication of land suitable for the construction of an identified public facility need, the construction of public facilities, the contribution of specified in-kind goods, services or cash earmarked for those uses, and/or monetary contributions to be used toward funding capital improvement projects. Selection of the appropriate offset mechanism should maximize the public benefit of the contribution.

Furthermore, phasing of development may be required to ensure mitigation of impacts.

7. Affordable Housing:

Ensuring an adequate supply of housing for low and moderate income families, those with special accessibility requirements, and those with other special needs is a goal of the County.

Part 8 of Article 2 of the Zoning Ordinance requires the provision of Affordable Dwelling Units (ADUs) in certain circumstances. Criterion #7 is applicable to all rezoning applications and/or portions thereof that are not required to provide any Affordable Dwelling Units, regardless of the planned density range for the site.

- a) *Dedication of Units or Land:* If the applicant elects to fulfill this criterion by providing affordable units that are not otherwise required by the ADU Ordinance: a maximum density of 20% above the upper limit of the Plan range could be achieved if 12.5% of the total number of single family detached and attached units are provided pursuant to the Affordable Dwelling Unit Program; and, a maximum density of 10% or 20% above the upper limit of the Plan range could be achieved if 6.25% or 12.5%, respectively of the total number of multifamily units are provided to the Affordable Dwelling Unit Program. As an alternative, land, adequate and ready to be developed for an equal number of units may be provided to the Fairfax County Redevelopment and Housing Authority or to such other entity as may be approved by the Board.
- b) *Housing Trust Fund Contributions:* Satisfaction of this criterion may also be achieved by a contribution to the Housing Trust Fund or, as may be approved by the Board, a monetary and/or in-kind contribution to another entity whose mission is to provide affordable housing in Fairfax County, equal to 0.5% of the value of all of the units approved on the property except those that result in the provision of ADUs. This contribution shall be payable prior to the issuance of the first building permit. For for-sale projects, the percentage set forth above is based upon the aggregate sales price of all of the units subject to the contribution, as if all of those units were sold at the time of the issuance of the first building permit, and is estimated through comparable sales of similar type units. For rental projects, the amount of the contribution is based upon the total development cost of the portion of the project subject to the contribution for all elements necessary to bring the project to market, including land, financing, soft costs and construction. The sales price or development cost will be determined by the Department of Housing and Community Development, in consultation with the Applicant and the Department of Public Works and Environmental Services. If this criterion is fulfilled by a contribution as set forth in this paragraph, the density bonus permitted in a) above does not apply.

8. Heritage Resources:

Heritage resources are those sites or structures, including their landscape settings, that exemplify the cultural, architectural, economic, social, political, or historic heritage of the County or its communities. Such sites or structures have been 1) listed on, or determined eligible for listing on, the National Register of Historic Places or the Virginia Landmarks Register; 2) determined to be a contributing structure within a district so listed or eligible for listing; 3) located within and considered as a contributing structure within a Fairfax County Historic Overlay District; or 4) listed on, or having a reasonable potential as determined by the County, for meeting the criteria for listing on, the Fairfax County Inventories of Historic or Archaeological Sites.

In reviewing rezoning applications for properties on which known or potential heritage resources are located, some or all of the following shall apply:

- a) Protect heritage resources from deterioration or destruction until they can be documented, evaluated, and/or preserved;
- b) Conduct archaeological, architectural, and/or historical research to determine the presence, extent, and significance of heritage resources;
- c) Submit proposals for archaeological work to the County for review and approval and, unless otherwise agreed, conduct such work in accordance with state standards;
- d) Preserve and rehabilitate heritage resources for continued or adaptive use where feasible;
- e) Submit proposals to change the exterior appearance of, relocate, or demolish historic structures to the Fairfax County Architectural Review Board for review and approval;
- f) Document heritage resources to be demolished or relocated;
- g) Design new structures and site improvements, including clearing and grading, to enhance rather than harm heritage resources;
- h) Establish easements that will assure continued preservation of heritage resources with an appropriate entity such as the County's Open Space and Historic Preservation Easement Program; and
- i) Provide a Fairfax County Historical Marker or Virginia Historical Highway Marker on or near the site of a heritage resource, if recommended and approved by the Fairfax County History Commission.

ROLE OF DENSITY RANGES IN AREA PLANS

Density ranges for property planned for residential development, expressed generally in terms of dwelling units per acre, are recommended in the Area Plans and are shown on the Comprehensive Plan Map. Where the Plan text and map differ, the text governs. In defining the density range:

- the "base level" of the range is defined as the lowest density recommended in the Plan range, i.e., 5 dwelling units per acre in the 5-8 dwelling unit per acre range;
- the "high end" of the range is defined as the base level plus 60% of the density range in a particular Plan category, which in the residential density range of 5-8 dwelling units per acre would be considered as 6.8 dwelling units per acre and above; and,
- the upper limit is defined as the maximum density called for in any Plan range, which, in the 5-8 dwelling unit per acre range would be 8 dwelling units per acre.
- In instances where a range is not specified in the Plan, for example where the Plan calls for residential density up to 30 dwelling units per acre, the density cited in the Plan shall be construed to equate to the upper limit of the Plan range, and the base level shall be the upper limit of the next lower Plan range, in this instance, 20 dwelling units per acre.

APPENDIX 11

GUIDELINES FOR TRANSIT-ORIENTED DEVELOPMENT

Fairfax County seeks to accommodate future residential and employment growth and expand choices for residents and employees by encouraging transit-oriented development (TOD) as a means to achieve compact, pedestrian-oriented, mixed-use communities focused around existing and planned rail transit stations.

The following guidelines and design principles are intended to effect well-planned transit-oriented development and should be considered in planning efforts as new station areas are identified and when an existing station area is subject to a major replanning effort. When applicable, these principles should be used in the review of major rezoning cases for development around planned and existing rail transit stations. These guidelines are intended to provide guidance for TOD in addition to the specific guidance found in Area Plans for each station area.

1. Transit Proximity and Station Area Boundaries:

Focus and concentrate the highest density or land use intensity close to the rail transit station, and where feasible, above the rail transit station.

This TOD area may be generally defined as a ¼ mile radius from the station platform with density and intensity tapering to within a ½ mile radius from the station platform, or a 5-10 minute walk, subject to site-specific considerations. Station-specific delineations should allow for the consideration of conditions such as roads, topography, or existing development that would affect the frequency of pedestrian usage of transit and therefore affect the expected walking distance to a station within which higher intensity development may be appropriate. Higher intensities within the delineated area may be appropriate if barriers are overcome and demonstrable opportunities exist to provide pedestrians a safe, comfortable and interesting walk to transit. To protect existing stable neighborhoods in the vicinity of transit but not planned for transit-oriented development or redevelopment, and to focus density toward the station, Area Plans should include clearly delineated boundaries for transit-oriented development based upon these criteria and a recognition of the respective differences in service levels and capacity of heavy rail, commuter rail and light rail transit which influence the overall density and intensity appropriate for a particular station area.

2. Station-specific Flexibility:

Examine the unique characteristics and needs of a particular station area when evaluating TOD principles to ensure the appropriate development intensity and mix of land uses relative to the existing and planned uses for the surrounding areas.

Each of Fairfax County's planned and existing rail transit stations has a unique character in terms of surrounding land uses, transportation infrastructure and roadways, environmental and topographical characteristics, and location within the rail system. Although each individual station should balance node and place functions to some extent, the value of the system as a whole can be enhanced if there is some degree of specialization, which can enhance the goals of TOD. Implementation of TOD within Transit Station Area (TSA) boundaries established in Area Plans, should consider the characteristics of the larger area surrounding the TSA (e.g., stable residential neighborhood, revitalization area, urban center). Transit station areas within a larger

mixed-use center should be integrated into the overall planning fabric of the mixed-use center.

3. Pedestrian and Bicycle Access:

Provide safe pedestrian and bicycle travel to and from and within the station area.

Non-motorized access and circulation are critical elements of successful TODs and should be encouraged. Techniques to promote maximum pedestrian and bicycle access must include an integrated pedestrian and bicycle system plan with features such as on-road bicycle lanes, walkways, trails and sidewalks, amenities such as street trees, benches, bus shelters, adequate lighting, covered walkways, pedestrian aids such as moving sidewalks and escalators, covered and secure bicycle storage facilities close to the station, shower and changing facilities, a pedestrian-friendly street network, and appropriate sidewalk width. Conflict between vehicles and pedestrians/bicyclists should be minimized. This may be achieved through the appropriate location of parking facilities including kiss-and-ride facilities, and the appropriate location and design of access roads to the rail transit station. Planning for accessible trail systems should consider distances traveled by both pedestrians and cyclists and should provide usable trails and other systems beyond the Transit Station Area.

4. Mix of Land Uses:

Promote a mix of uses to ensure the efficient use of transit, to promote increased ridership during peak and off-peak travel periods in all directions, and to encourage different types of activity throughout the day.

A balanced mix of residential, office, retail, governmental, institutional, entertainment and recreational uses should be provided to encourage a critical mass of pedestrian activity as people live, work and play in these areas. The appropriate mix of uses should be determined in the Area Plans by examining the unique characteristics and needs of each station area. Specific development plans that conflict with the achievement of the mix of uses planned for that station area are discouraged.

5. Housing Affordability:

Provide for a range of housing opportunities by incorporating a mix of housing types and sizes and including housing for a range of different income levels.

Housing within TODs should be accessible to those most dependent on public transportation, including older adults, persons with disabilities and other special needs, and persons with limited income. Housing should be provided within the residential component of a TOD for low and moderate income residents. Affordable and workforce housing should be provided on-site or, if an alternative location can provide a substantially greater number of units, in adjacent areas within the TOD. Housing for seniors is encouraged to the extent feasible.

6. Urban Design:

Encourage excellence in urban design, including site planning, streetscape and building design, which creates a pedestrian-focused sense of place.

A pleasant pedestrian environment can contribute to the quality of a transit experience, which is also a pedestrian activity. Urban design elements to achieve an appropriate sense of place and a pleasant pedestrian environment may include any or all of the following: well-landscaped public spaces such as squares and plazas; urban parks; courtyards; an integrated pedestrian system; street-oriented building forms with a pedestrian focus; compact development; appropriate street width and block size; measures to mitigate the visual impact and presence of structured parking; and, high-quality architecture.

7. Street Design:

Provide a grid of safe, attractive streets for all users which provide connectivity throughout the site and to and from adjacent areas.

The street grids around transit station areas should be designed at a scale that facilitates safe pedestrian and cyclist movement and provides for vehicular circulation and capacity. Street design should incorporate elements such as lighting, appropriate street width, sidewalk width and intersection dimensions to allow for pedestrian, bicycle and vehicular use, and should be designed to provide universal access to people with a range of abilities and disabilities. The design of streets should encourage lower traffic speeds and superior pedestrian circulation through provision of on-street parking, street trees, and other features and amenities.

8. Parking:

Encourage the use of transit while maximizing the use of available parking throughout the day and evening and minimizing the visual impact of parking structures and surface parking lots.

Proper size and location of parking facilities contribute to creation of a pedestrian- and transit-supportive environment. The use of maximum parking requirements, shared use parking facilities, incentive programs to reduce automobile usage, carpooling, metered parking, car-sharing programs, neighborhood parking programs, and other techniques can encourage the use of transit while also maximizing the use of parking spaces at different times of day. Efforts to provide urban design elements such as on-street parking, placement of parking structures underground and minimizing surface parking lots are encouraged. Wherever possible, ground floor uses and activities should be incorporated into structured parking, particularly where parking structures are located along streets where pedestrian activity is encouraged. Location of commuter garages should be sensitive to pedestrian and bicycle activity within and adjacent to the Transit Station Area and adjacent neighborhoods.

9. Transportation and Traffic:

Promote a balance between the intensity of TOD and the capacity of the multimodal transportation infrastructure provided and affected by TOD, and provide for and accommodate high quality transit, pedestrian, and bicycle infrastructure and services and other measures to limit single occupant vehicle trips.

A TOD should contain the following characteristics relating to transportation and traffic:

- A multimodal transportation infrastructure, with an emphasis on pedestrian and biking facilities, that offer a choice in transportation modes providing convenient and reliable alternatives to driving to a station area, particularly those station areas without parking.
- A design that accommodates, but minimizes single occupant vehicle trips. Additional measures to minimize single occupant vehicle trips, including Transportation Demand Management measures, should be identified and applied.
- Traffic-calming measures, design techniques and road alignment that balance pedestrian and bicycle accessibility and vehicular access.

The cumulative impacts of TOD on transportation infrastructure should be evaluated in the TOD area, and improvements provided where needed. *The impacts on roads:* Where applicable, a higher level of delay is acceptable for vehicular traffic within TOD areas. A non-degradation policy should be applied to areas immediately adjacent to a TOD area and to arterials serving the TOD area. This policy requires that traffic flow in these adjacent areas and on arterials serving the TOD area perform no worse after development of a TOD takes place. Where it is not possible or appropriate to maintain a non-degradation policy, in lieu of additional road capacity, there can be improvements, measures and/or monetary contributions to a fund to enable the application of techniques to reduce vehicle trips by an appropriate amount in and around the TOD area. *The impacts on transit, pedestrian, and bicycle facilities:* A high level of service should be maintained for transit users that minimizes delay, the need for transfers, and transfer delay. Where it is not possible to maintain a high level of transit service because of extraordinarily high costs, monetary contributions to a fund for the eventual improvement of transit service can be provided in lieu of the maintenance of a high quality transit service. An acceptable level of transit service nevertheless should be maintained during TOD development. A high level of service should be maintained for pedestrians and cyclists, including safety and security, direct pathways, reasonable grades, and minimized delays at intersections.

10. Vision for the Community:

Strive to achieve a broadly inclusive, collaborative, community participation process when evaluating TOD plans that propose substantial changes in use, intensity or density for existing or new transit station areas planning efforts.

Broad-based support and collaboration can be achieved through planning processes that encourage involvement and participation. These processes should utilize a range of tools and techniques for engaging the community and other interested stakeholders. While the particulars of the process should relate to each station, planning processes should include the use of citizen task forces, the Area Plans Review process and other means to result in the following: (1) a collaborative and interactive formulation of a cohesive vision for the transit station area before specific development proposals are formally considered; (2) a TOD vision that is integrated with and complements surrounding neighborhoods; (3) incorporation of a broad range of aspirations and needs of those communities; (4) active participation by county planning officials, supervisors, community groups and developers to identify, and encourage broad-based involvement and participation by, a wide range of stakeholders, including all interested citizens' associations; and (5) continuing stakeholder involvement on a collaborative basis in framing development proposals ultimately considered for specific parcels.

11. Regional Framework:

Provide a more efficient land use pattern by concentrating growth around existing and planned transit station areas.

Maximizing development around transit can provide a regional benefit by accommodating some of the region's projected employment and residential growth, as well as making jobs accessible by transit. In instances where substantial changes in use, density or intensity are being considered as part of station area planning, the implications and impacts on the transit system should be considered. Cumulative impacts on transit service and capacity as well as on traffic capacity should be evaluated in a transit-oriented development, and improvements evaluated where needed. These planning efforts should include coordination and cooperation with adjacent jurisdictions, regional organizations, and transit providers, such as WMATA and VRE. The use of Transfer of Development Rights (TDR's) should be examined as a technique to relocate zoned density to TOD areas if it results in future development that agrees with Comprehensive Plan recommendations.

12. Environmental Considerations:

Seek opportunities for mitigating environmental impacts of development.

The environmental benefits of compact, mixed use development focused around transit stations can include improved air quality and water quality through the reduction of land consumption for development in other areas. The utilization of land near transit and the existing infrastructure allows the County to accommodate increasing growth pressures in a smaller area served by infrastructure. Improvements in air quality due to reduced vehicle miles traveled and reduced automobile emissions can also be viewed as a benefit of TOD. Environmental impacts (such as impacts on mature trees and stormwater runoff) of proposed development should be examined and mitigated to minimize potential negative impacts. Low Impact Development Techniques, such as rain gardens and green roofs, should be incorporated into proposed developments to reduce potential impacts of stormwater runoff from these areas. Development in TODs should be designed in a manner that conserves natural resources; the application of energy and water conservation measures should be encouraged. Sites undergoing redevelopment should optimize stormwater management and water quality controls and practices for redevelopment consistent with revitalization goals.

13. Economic Benefits:

Create an employment base and encourage commercial revitalization adjacent to transit facilities.

Development around transit stations can help to address housing and transportation costs in the County by providing opportunities to balance these costs in TODs. Employment uses near transit can provide opportunities for lowered transportation costs for employees. Additionally, housing near transit offers similar transportation savings and opportunities for housing near employment. Opportunities to create new small business opportunities as well as assist in the retention of existing small businesses should be evaluated as part of TOD planning.

14. Open Space:

Provide publicly-accessible, high-quality, usable open space.

Urban parks and open space contribute to a development's sense of place and are integral amenities offered to residents, workers and shoppers. Transit-oriented development plans should provide amenities such as public gathering spaces, civic focal points, plazas and open green space and offer a variety of activities such as dining, casual games and recreation, performances, visual arts and special events. These spaces should be accessible to the larger community as well as the immediate transit-oriented development area. Development plans should also incorporate open space preservation, such as stream valleys, where appropriate, and provide access to the County's network of parks and trails.

15. Public Facilities and Infrastructure:

Evaluate opportunities to include public facility improvements and services within the TOD area.

TOD may provide opportunities to improve public facilities. Locating public facilities in station areas provides important public services in areas accessible to public transportation and can increase activity within the TOD. Cumulative impacts of development in a TOD on public facilities and transit access facilities should be identified and offset. Such impacts include those on schools, parks, libraries, police, fire and rescue, water and sewer, stormwater management and other publicly owned community facilities. Current data on station access facilities and demand should be used as available, to assess needs for replacement or enhancement of facilities such as bus bays, taxi access, substations and parking.

16. Phasing of Development:

Ensure that projects are phased in such a way as to include an appropriate mix of uses in each phase of the development.

A balanced mix of residential and non-residential uses should be provided to encourage a critical mass of pedestrian activity. However, concurrent development of all uses may not be feasible due to market conditions. In instances where a certain mix of uses is critical to the success of the TOD, the development should include a commitment to phase the project in such a way as to include an appropriate mix of uses in each phase to help ensure the long-term success of the mixed-use development. It may also be appropriate, when a project's overall success depends on certain specific elements, to make later phases contingent on completion of those elements. Phasing the development can minimize the potential impacts on the surrounding community and increase amenities for residents, employees, and visitors within the transit-oriented development area. Phasing plans should include pedestrian and bicycle access plans to allow proper non-motorized access throughout the development phases. Provision of open space and recreational amenities should be phased as well so that provision of these facilities is not postponed until final phasing of a development.



County of Fairfax, Virginia

MEMORANDUM

DATE: January 11, 2013

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

FROM: Pamela G. Nee, Chief *PAN*
Environment and Development Review Branch, DPZ

SUBJECT: ENVIRONMENTAL ASSESSMENT for: RZ/CDP/FDP 2010-HM-008 Veatch

This memorandum, prepared by Mary Ann Welton, includes citations from the Comprehensive Plan that provide guidance for the environmental policies for this property. Plan citations are followed by a discussion of concerns including a description of potential impacts that may result from the proposed development based on the revised Conceptual Final Development Plan (RZ/FDP) Plan and proffers dated January 8, 2013. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted. Possible solutions to remedy identified issues are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are in harmony with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

The Fairfax County Comprehensive Plan, Policy Plan, 2011 Edition, Environment section as amended through July 27, 2010, page 7-9 states:

“Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.

Policy a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment

complies with the County's best management practice (BMP) requirements. . . .

Policy j. Regulate land use activities to protect surface and groundwater resources. . . .

Policy k. For new development and redevelopment, apply better site design and low impact design (LID) techniques such as those described below, and pursue commitments to reduce stormwater runoff volumes and peak flows, to increase groundwater recharge, and to increase preservation of undisturbed areas. In order to minimize the impacts that new development and redevelopment projects may have on the County's streams, some or all of the following practices should be considered where not in conflict with land use compatibility objectives:

- Minimize the amount of impervious surface created.
- Site buildings to minimize impervious cover associated with driveways and parking areas and to encourage tree preservation.
- Where feasible, convey drainage from impervious areas into pervious areas. . . .
- Encourage fulfillment of tree cover requirements through tree preservation instead of replanting where existing tree cover permits. Commit to tree preservation thresholds that exceed the minimum Zoning Ordinance requirements. . . .
- Encourage the use of innovative BMPs and infiltration techniques of stormwater management where site conditions are appropriate, if consistent with County requirements.
- Apply nonstructural best management practices and bioengineering practices where site conditions are appropriate, if consistent with County requirements. . . .
- Maximize the use of infiltration landscaping within streetscapes consistent with County and State requirements."

The Fairfax County Comprehensive Plan, Policy Plan, 2011 Edition, Environment section as amended through July 27, 2010, page 10 and pages 14-16- states:

"Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.

- Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Bay Preservation Ordinance. . . .”

The Fairfax County Comprehensive Plan Policy Plan, 2011 Edition, Environment section as amended through July 27, 2010, pages 11 and 12 states:

“Objective 4: Minimize human exposure to unhealthful levels of transportation generated noise.

- Policy a: Regulate new development to ensure that people are protected from unhealthful levels of transportation noise. . .

New development should not expose people in their homes, or other noise sensitive environments, to noise in excess of DNL 45 dBA, or to noise in excess of DNL 65 dBA in the outdoor recreation areas of homes. To achieve these standards new residential development in areas impacted by highway noise between DNL 65 and 75 dBA will require mitigation. New residential development should not occur in areas with projected highway noise exposures exceeding DNL 75 dBA.”

The Fairfax County Comprehensive Plan Policy Plan, 2011 Edition, Environment section as amended through July 27, 2010, page 13 states:

“Objective 7: Minimize the exposure of new development to the potential of flood impacts.

- Policy a: Prohibit new residential structures within flood impact hazard areas.”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, on page 18, the Plan states:

“Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.

- Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices.

- Policy b: Require new tree plantings on developing sites which were not forested prior to development and on public rights of way....”

Fairfax County Comprehensive Plan, 2011 Edition, Policy Plan, Environment, as amended through July 27, 2010, on page 19, the Plan states:

“Objective 13: Design and construct buildings and associated landscapes to use energy and water resources efficiently and to minimize short- and long-term negative impacts on the environment and building occupants. . . .

Policy a. Consistent with other Policy Plan objectives, encourage the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. These practices can include, but are not limited to:

- Environmentally-sensitive siting and construction of development
- Application of low impact development practices, including minimization of impervious cover (See Policy k under Objective 2 of this section of the *Policy Plan*)
- Optimization of energy performance of structures/energy-efficient design
- Use of renewable energy resources
- Use of energy efficient appliances, heating/cooling systems, lighting and/or other products
- Application of water conservation techniques such as water efficient landscaping and innovative wastewater technologies
- Reuse of existing building materials for redevelopment projects
- Recycling/salvage of non-hazardous construction, demolition, and land clearing debris
- Use of recycled and rapidly renewable building materials
- Use of building materials and products that originate from nearby sources
- Reduction of potential indoor air quality problems through measures such as increased ventilation, indoor air testing and use of low-emitting adhesives, sealants, paints/coatings, carpeting and other building materials.

Encourage commitments to implementation of green building practices through certification under established green building rating systems (e.g., the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) program or other comparable programs with third party certification). Encourage commitments to the attainment of the ENERGY STAR® rating where applicable and to ENERGY STAR qualification for homes. Encourage the inclusion of professionals with green building accreditation on development teams. Encourage commitments to the provision of information to owners of buildings with green building/energy efficiency measures that identifies both the benefits of these measures and their associated maintenance needs.

- Policy b. Ensure that zoning proposals for nonresidential development and zoning proposals for multifamily residential development of four or more stories within the Tysons Corner Urban Center, Suburban Centers, Community Business Centers and Transit Station Areas as identified on the Concept Map for Future Development incorporate green building practices sufficient to attain certification through the LEED program or its equivalent, where applicable, where these zoning proposals seek at least one of the following:
- Development in accordance with Comprehensive Plan Options;
 - Development involving a change in use from what would be allowed as a permitted use under existing zoning;
 - Development at the Overlay Level; or
 - Development at the high end of planned density/intensity ranges. For nonresidential development, consider the upper 40% of the range between by-right development potential and the maximum Plan intensity to constitute the high end of the range. . . .
- Policy d. Promote implementation of green building practices by encouraging commitments to monetary contributions in support of the county's environmental initiatives, with such contributions to be refunded upon demonstration of attainment of certification under the applicable LEED rating system or equivalent rating system.
- Policy e. Encourage energy conservation through the provision of measures which support nonmotorized transportation, such as the provision of showers and lockers for employees and the provision of bicycle parking facilities for employment, retail and multifamily residential uses."

ENVIRONMENTAL ANALYSIS

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed land use. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions. Particular emphasis is given to opportunities provided by this application to conserve the County's remaining natural amenities.

Background: This application proposes to rezone the subject parcel from I-4 (Industrial) Zoning District to the Planned Residential Mixed-Use (PRM) Zoning District to allow the development

of a mixed-use, transit-oriented project near the future Reston Metro Station. Analysis for this application is based upon the overall conceptual development plan and proffered commitments for the 5.507 acre subject property located south of Sunset Hills Road, north of the Dulles Toll Road and west of the future Wiehle Avenue Metro bus parking garage.

Stormwater Management Best Management Practices: The 5.507 acre subject property is located in the Difficult Run watershed and it is entirely impervious surface. The northern portion is currently developed as an industrial storage facility. The southern portion of the application is developed as a low rise office building which will remain. The stormwater management narrative for this application indicates that the “net development” area of 3.62 acres is reduced because Reston Station Road Plan incorporated stormwater management for Right of Way land area under Fairfax Plan #2615-SP-007.

The subject application proposes four underground stormwater vaults to meet the water quality and quantity control requirements for this site excluding the right of way cited above. The proposed facilities and the respective locations of those facilities are shown on sheet #14 of the current development plan. The narrative also indicates that the application qualifies as a redevelopment proposal under the County’s Chesapeake Bay Preservation Ordinance (CBPO).

Outfall Analysis and Flood Impacts: According to the outfall narrative, runoff from the proposed development drains west to the existing Reston Section 913 SWM pond. The narrative also points out that a floodplain study for the Reston Section 913 pond showed the pond overtopping its banks with a 10 year storm event. Overflow from the pond is directed northward through a culvert under the VDOT parking lot and NVRPA trail and it outfalls ultimately in the Hidden Creek golf course. The capacity of that culvert remains unknown to the consulting engineer.

Given the fact that the site of the proposed development will have limited areas of natural infiltration for stormwater runoff, staff has concerns that the applicant has not fully demonstrated at this time that the site will be protected from future flooding impacts. Neither the development plan nor the proffers provide specific information and commitment that the proposed development conforms to Comprehensive Plan’s guidance to “(m)inimize the exposure of new development to the potential of flood impacts.” Staff finds this uncertainty problematic because the 2001 flood study modeled the existing 913 SWM pond and found the 10-year storm event overtopping Sunset Hills Road.

No low impact development best management practices are shown on this plan. Low impact development measures improve water quality, reduce runoff from the site and assist in protecting downstream receiving channels. The applicant is encouraged to identify and propose appropriate low impact development measures to complement the existing and proposed facilities.

The adequacy of stormwater management/best management practice (SWM/BMP) facilities and outfall will be subject to review and approval by the Department of Public Works and Environmental Services (DPWES).

Traffic Noise: The subject property may be affected by traffic generated noise. A noise study has not yet been performed for the subject property to determine noise impact levels for existing and future conditions. However, the applicant has provided a proffered commitment to provide a noise study in support of achieving the recommended Plan noise attenuation level of no more than 45 dBA for interior areas of the proposed residential building and 65 decibels for outdoor recreation areas. This study will be submitted at the time of site plan submission and it will include recommendations for noise mitigation.

To be consistent with other noise studies reviewed and approved by county staff, the noise study should include projected future road improvements, traffic volume conditions projected at least 20 years into the future and an acoustical consultant's recommendations for mitigating the noise levels projected to exist at the time of the study. The noise model used to project exterior noise impacts should be either: (1) the model that, at the time of submission of the acoustical study, is used by the Virginia Department of Transportation to model highway noise impacts; or (2) an alternative model approved by the Environment and Development Review Branch of the Department of Planning and Zoning.

Green Buildings: The Policy Plan incorporates guidance in support of the application of energy conservation, water conservation and other green building practices in the design and construction of new development and redevelopment projects. The subject property is proposing to develop under a Comprehensive Plan option in the Reston Herndon Suburban Center and therefore under the green building policy, development is expected to attain green building certification. The applicant is proposing three green building certification options (NAHB using the Energy Star Qualified Homes path for energy performance, LEED New Construction, and LEED for Homes Multi-family Mid Rise) that are acceptable to staff. The applicant has also identified Earthcraft certification as a possible option; staff has requested additional information to ensure that Earthcraft is a viable green building certification for this development.

Sustainable Energy: No sustainable energy commitment has been provided at this time, but the applicant is encouraged to study the feasibility of providing electric vehicle (EV) charging stations for this development and to install EV ready infrastructure.

PGN: MAW



County of Fairfax, Virginia

MEMORANDUM

DATE: January 14, 2013

TO: Mr. William J. O'Donnell Jr. AICP, Planner II
Zoning Evaluation Division, DPZ

FROM: Hugh Whitehead, Urban Forester II *HW*
Forest Conservation Branch, DPWES

SUBJECT: Veatch Property, RZ/FDP 2010-HM-008

RE: Request to review proposed Final Development Plan and draft proffers

I have reviewed the above referenced Final Development Plan submission stamped and received by the Zoning Evaluation Division on January 8, 2013, and draft proffers revised as of the same date. The following comments are based on this review.

1. **Comment:** The plant palette takes native credit for saucer magnolia and a cultivar (*Cercis canadensis*, 'Alba') of Eastern redbud. Saucer magnolia is not a native species. Native credit cannot be taken for varieties or cultivars.

Recommendation: The plant palette should be revised to delete the additional credit indicated for saucer magnolia and *Cercis canadensis*, 'Alba'.

2. **Comment:** Sycamore is included in the plant palette. Though this species is native, it is susceptible to anthracnose, a fungal disease that kills new foliage. In addition, the fruit is messy and a maintenance liability in urban situations. Bloodgood London planetree (*Platanus acerifolia*, 'Bloodgood') is a very similar species without these problems.

Recommendation: Require Bloodgood London planetree to replace sycamore in the plant palette.

3. **Comment:** Though the comment response letter dated January 8, 2013, asserts that conflicts have been resolved between trees proposed along the street and the VDOT right of way, the following conflicts remain:
 - Fifty percent of the root zones of proposed trees along Reston Station Blvd. are still in the proposed right-of-way dedication. If VDOT exercises its right to this area the trees will be severely impacted.

Department of Public Works and Environmental Services

Urban Forest Management Division

12055 Government Center Parkway, Suite 518

Fairfax, Virginia 22035-5503

Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769

www.fairfaxcounty.gov/dpwes



Veatch Property
RZ/FDP 2010-HM-008
January 14, 2013
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- Soil in planting sites shall be as specified in planting notes to be included in site plans reviewed and approved by Urban Forest Management.

The Applicant shall provide notice to UFMD not less than 72 hours prior to the Applicant's implementation of tree planting spaces to permit UFMD to verify the proper installation and planting of trees in conformance with the approved site plan. At such time, the Applicant also shall provide UFMD written documentation demonstrating that materials and methods used satisfy requirements of the plan and verify the contractors performing the work are licensed as may be required by the manufacturer. Following installation and no later than final bond release for the site plan for which this proffer is applicable, the Applicant shall provide written confirmation from a certified arborist and/or landscape architect verifying installation of trees by a licensed contractor consistent with the requirements of this Proffer.

If there are any questions or further assistance is desired, please contact me at (703)324-1770.

HCW/
UFMDID #: 152501

cc: DPZ File





County of Fairfax, Virginia

MEMORANDUM

DATE: January 17, 2013

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

FROM: Angela Kadar Rodeheaver, Chief
Site Analysis Section, DOT

FILE: 3-4 (RZ 2010-HM-008)

SUBJECT: RZ 2010-HM-008 – Bozzuto Development Company
Veatch Property
Land Identification Maps: 17-4 ((19)) 1, 2, 3, 4, 5A & 6A and 17-4 ((24)) 4B

This department has reviewed the subject rezoning submittal including proffers and development plans dated January 8, 2013. The applicant is proposing to construct one residential building, with a few small retail or service spaces on a portion of the ground floor.

The applicant has addressed all of the critical transportation issues identified in the Comprehensive Plan, in this application. In fact, the applicant has gone above and beyond those critical concerns in an effort to create a better urban environment for those living and working in close proximity to a metro station. A few of the most significant contributions are outlined below.

- o Reston Station Boulevard – This roadway is expected to have a 5-lane cross section in the future when either the neighboring property redevelops or when construction is deemed necessary for traffic flow. This 5-lane cross section will transition to a 4-lane cross section in front of the subject property. The applicant has committed to dedicate all Right-Of-Way necessary and construct the ultimate street width that accommodates the future 5-lane to 4-lane transition despite the fact that their own site trips to not dictate this need.
- o Private Street on the eastern side of the property – In examining the area with a holistic traffic picture in mind, County staff felt it would enhance the area to add a street along the eastern side of this property in an effort to assemble a street grid that is more conducive to alternative transportation modes. This street would not only serve the subject property, but provide another locally serving connection to access the metro station as well as the surrounding properties. A possible ultimate design of this road is shown in the CDP on sheet 5B and would allow right-in/right-out access from Sunset Hills Road as well as a full access connection to Reston Station Drive. In keeping with this vision, the applicant has proffered to build an interim private street (shown on Sheet 5A in the CDP) that will serve their residential loading and garage

access in the short term. This private street will not connect to Sunset Hills Road in this interim design, but will be used as a half-section of the ultimate road design. For the section of road that the applicant is not building (connection to Sunset Hills Road), they have proffered funds that can be applied to the construction of an access to Sunset Hills Road.

- o TDM - The applicant has agreed to design a TDM program to meet aggressive trip reduction goals.

Fairfax County Staff has recently restructured the way TDM proffers will be handled in zoning applications, so as to better achieve the goals of the Comprehensive Plan.

Previously, developers made a contribution in the form of a Penalty Fund to be accessed upon stabilization, if trip reduction goals were still not being met. The County felt that these funds could be better utilized if they were contributed to a Remedy Fund, which could be accessed at any point by the applicant to enhance the TDM program when trip goals were not achieved. This new methodology makes better use of the proffered contributions and will ultimately have a more positive impact on reducing trips in Fairfax County. The new structure examines the subject property's proximity to Metro stations to determine fund rates as well as the desired elements of a TDM program. The end goal is a program that reflects the development property's location and is robust enough to encourage trip reductions. The following bullets describe some of the commitments made by the Applicant.

- a. The applicant has committed to meet the goals outlined in the proffers, in conformance with a new approach to TDM.
- b. The applicant has agreed to substantially increase the contribution to the Remedy Fund in lieu of a large contribution to a Penalty Fund so that money would be immediately available and accessible to enhance the TDM program in the event that goals are not being met.
- c. The applicant agreed to monitor their TDM program with annual traffic counts and surveys every three years. This is a significant improvement from monitoring programs in the past. Annual traffic counts will enable the county to review the status of transportation in the area and identify future concerns or areas for improvement.
- d. The applicant agreed to pay a \$75 per day non-compliance fee for failure to submit their annual report by the date outlined in the proffers. Assuring that TDM programs are operating as proffered is very important to the County, and the annual reports provide information on the TDM programs, and commuter behavior.
- e. The applicant is proffering a detailed implementation plan for the TDM program that will also provide the flexibility to modify the program both to address changes necessary during the life of the project.

While the Applicant has made a commendable effort in providing the previous items, a few small issues remain that will ideally be corrected with their final submission. These are outlined below.

- Retail Loading Area - The Applicant has provided a design in their CDP for a loading area out of the roadway, adjacent to Metro Center Drive. In coordination with VDOT staff, we ask the applicant if they can provide two designs for this loading area (one that utilizes the public roadway for backing into a loading bay, and the other as a parallel parking style loading area. This will enable the more finite, engineering details to be worked out at site plan since CDPs typically do not get to the level of detail necessary to make this decision at the time of rezoning. VDOT will provide input as to which design best meets their standards at site plan but it's important to note that they have verbally indicated that one or the other of these designs in concept will be acceptable at site plan. We would also like to see a proffer memorializing this decision.
- The Proffers do not specify that the existing or future signals will be modified or altered with this development. Given the road design shown in the CDP, staff finds this highly unlikely and would like to see a proffer stating that the Applicant will provide any signal changes/modifications/additions necessitated by their development. This includes additional signal heads, signal timing changes, relocation of signal heads on the mast arms and even potentially the addition of a new mast arm if needed at the intersection of the new private street and Reston Station Blvd.

AKR/JCH



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive
Fairfax, VA 22030

November 15, 2012

GREGORY A. WHIRLEY
COMMISSIONER

To: Ms. Barbara Berlin
Director, Zoning Evaluation Division

From: Kevin Nelson
Virginia Department of Transportation – Land Development Section

Subject: RZ 2010-HM-008 Veatch Property
Tax Map # 17-4((19))0001, 2, 3, 4, 5A, 6A & 17-4((24))0004B

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

I have reviewed the above plan submitted on November 6, 2012, and received November 9, 2012. The following comments are offered:

1. The loop lane connecting to Reston Station Boulevard shall be signed as right turn only/No Left Turn when exiting.
2. Sunset Hills Road needs to be widened in accordance with the County Comprehensive Plan. Dedication of right of way (or reservation as proposed) is not an acceptable level of mitigation for the site's impacts.
3. Reston Station Boulevard may not be eligible for maintenance acceptance by VDOT until the eastern half section of this site's eastern access is completed. The offset from the garage access on the south side will cause poor, if not a failure, of the operation of this intersection.
4. The drainage and storm sewer manholes shown on the sidewalk areas need to be moved out of the pedestrian access.
5. Roadway improvements need to be provided with the site development on all frontages of the site. Dedication of right of way (or reservation as proposed) is not an acceptable level mitigation of the site's impacts.
6. The proffers do not address construction along the site frontages. Only rights of way are listed in the transportation proffers.
7. The loop access and the garage access on the eastern side of the site need to meet the required separation for two entrances.
8. The dimensions on the pedestrian and vehicular circulation plan sheet are not correct for the public streets.
9. The entrance shown on Metro Center Drive does not meet VDOT standards. It is unclear what is intended the way it is drawn on the plans.

cc: Ms. Angela Rodeheaver

fairfaxrezoning2010-HM-008rz2Veatch11-15-12BB

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COMMONWEALTH of VIRGINIA
DEPARTMENT OF TRANSPORTATION

GREGORY A. WHIRLEY
COMMISSIONER

4975 Alliance Drive
Fairfax, VA 22030

March 22, 2012

To: Ms. Regina Coyle
Director, Zoning Evaluation Division

From: Hiren C. Joshi, P.E.
Virginia Department of Transportation – Land Development Section
703-259-2775

Subject: RZ/FDP 2010-HM-008 RPBM Llc. and Section 913, LP
Tax Map No: 017-4-/19/0001

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

I have reviewed the subject rezoning application and offer the following comments:

1. Average daily traffic on Sunset Hills Road should be noted on the CDP/GDP.
2. Trip generation from the site should be provided at the site entrance.
3. Entrance should confirm to the design standards of Appendix F of VDOT Road Design Manual in terms of standard, width, radii, landing spacing etc.
4. Cross over spacing of the entrance should meet the access management standards of Appendix F of VDOT Road Design Manual.
5. Turn lane requirements along Sunset Hills Road for the site access should be checked based on the traffic volume and trip generation.
6. Signal Modification of the existing signal should be addressed considering the driveway concept and any proposed turn lanes.
7. Lane Configuration of the opposite entrance across the site along Sunset Hills Road should be shown.
8. Is there any sidewalk proposed along the property frontage? If so proposed sidewalk should be shown with any existing facilities along Sunset Hills Road.
9. Curb Ramps VDOT Std. CG-12 should be provided for any pedestrian facilities.
10. Entrance sight distance should be verified at the rezoning stage.
11. Comment response letter should be provided with next submittal.

Let me know if you have any questions.



COMMONWEALTH of VIRGINIA
DEPARTMENT OF TRANSPORTATION

GREGORY A. WHIRLEY
COMMISSIONER

4975 Alliance Drive
Fairfax, VA 22030

March 6, 2012

Ms. Barbara Berlin
Director of Planning and Zoning
Office of Comprehensive Planning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5511

Re: RZ 2010-0072 Veatch Property
Tax Map # 17-4((01)) 0001
Fairfax County

Dear Ms. Berlin:

In accordance with the Virginia Traffic Impact Analysis Regulations, 24 VAC 30-155, your proposed rezoning was submitted to the Virginia Department of Transportation (VDOT) for review on October 7, 2011, and December 20, 2011, and received on October 7, 2011, and December 20, 2011.

We have evaluated the rezoning and prepared comments on the results of our evaluation. The comments present our key findings as well as detailed comments on the future transportation improvements which will be needed to support the current and planned development in the study area.

Our comments are attached to assist the Planning Department, the Planning Commission and the Board of Supervisors in their decision making process regarding the rezoning.

Please arrange to have these comments included in the official public records, and to have both this letter and the VDOT comments placed in the official file for this rezoning. VDOT will make these documents available to the public through various means, and may post them to the VDOT website.

Please contact me if you have any further questions regarding these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Nelson".

Kevin Nelson
Transportation Engineer

cc: Ms. Angela Rodeheaver
527Info2010-0072rz2VeatchProp3-6-12BB



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

GREGORY A. WHIRLEY
ACTING COMMISSIONER

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)

March 6, 2012

Ms. Barbara Berlin
Director of Planning and Zoning
Office of Comprehensive Planning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5511

Re: RZ 2010-0072 Veatch Property
Chapter 527 Comments
Tax Map # 17-4((01)) 0001
Fairfax County

Dear Ms. Berlin:

VDOT has reviewed the above plan and traffic impact study submitted on October 7, 2011, and December 20, 2011, and received on October 7, 2011 and December 20, 2011. The site is generally located in the southeast quadrant of the Sunset Hills Road and Isaac Newton Square intersection. The subject site proposes a mixed-use development combining approximately 170,000 square feet of office space, 8,000 square feet of specialty retail, and approximately 520 residential dwelling units. The project is scheduled to be completed in one phase with a build-out year of 2013. The site currently consists of 88,000 square feet of mini-warehouse uses, 30,000 square feet of office uses and 32,000 square feet of flex-industrial uses (50% office and 50% warehouse). Currently the site can only be accessed from Isaac Newton Square. The proposed plan will generate approximately 440 trips in the weekday morning peak hour and approximately 475 trips in the weekday afternoon peak hour. The development will generate approximately 4,480 average weekday daily trips. The following comments are based on the information included in the traffic impact analysis:

Accuracy of the Traffic Impact Analysis

The methodologies and assumptions used in the traffic impact analysis are based upon the results of a scope of work meeting held by VDOT and the locality. The following are editorial comments which do not impact the results of the traffic impact analysis. It is noted the numbers for Intersections #12 and #13 are reversed in the stick diagram on the left side of Figures 12 and 13. Also, it should be noted the titles of Figures 17, 18 and 19 contain the year 2013 instead of the year 2019.

Comments on the Recommended Improvements

1. The study does not make any recommendations other than signal timing changes. Retiming of individual signals can have a system wide impact on the network. Therefore, the impact of such an action should be analyzed for entire corridor or network. Also, other mitigation measures should be considered in the event signal timing changes are not implemented.

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2. If signal modification and retiming is recommended to accommodate the additional traffic or changes in geometry, then its detail, including impacts on other intersections in the network, should be properly documented and submitted separately to VDOT for review.

Additional VDOT Recommendations/Comments/Concerns

3. In general, there are still coordination issues between the two developments regarding the construction of Reston Station Boulevard. If Reston Station Boulevard is proposed for transfer into the VDOT maintenance system, then it should meet all the prevalent design standards for the appropriate classification of street. In that regard, it is required to reduce the number of access points and meet the spacing requirements of intersections.
4. Similarly, the driveway on the south side of the proposed Reston Station Boulevard for the Office/Retail building is too close to the proposed signalized intersection of Metro Center Drive creating both safety and operational problems.
5. If Isaac Newton Square is proposed for transfer into the VDOT system, it should meet all the prevalent design standards for that classification of street. In that regard, it is required to meet VDOT's turn lane length and taper requirements for all proposed turn lanes.
6. The traffic study also shows the proposed northbound left turn lane bay along Isaac Newton Square at Sunset Hills Road does not meet the storage requirements during PM peak hour of traffic for the 2013 projected traffic with the development.

In general, the TIA is found acceptable. Please contact me if you have any further questions regarding these comments.

Sincerely,



Kevin Nelson
Transportation Engineer

cc: Ms. Angela Rodeheaver
527Info2010-0072rz2VeatchPropComments3-6-12BB



County of Fairfax, Virginia

MEMORANDUM**DATE:** March 19, 2012

TO: Barbara C. Berlin, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Eric Fisher, GIS Analyst III
Information Technology Section
Fire and Rescue Department

SUBJECT: Fire and Rescue Department Preliminary Analysis of Rezoning/Final
Development Application RZ/FDP 2010-HM-008 (case reactivated)

The following information is submitted in response to your request for a preliminary Fire and Rescue Department analysis for the subject:

1. The application property is serviced by the Fairfax County Fire and Rescue Department Station #425, Reston
2. After construction programmed ___(n/a)___ this property will be serviced by the fire station ___(n/a)___





FAIRFAX COUNTY WATER AUTHORITY
8560 Arlington Boulevard, Fairfax, Virginia 22031
www.fairfaxwater.org

**PLANNING & ENGINEERING
DIVISION**

Jamie Bain Hedges, P.E.
Director
(703) 289-6325
Fax (703) 289-6382

March 12, 2012

Ms. Barbara Berlin, Director
Fairfax County Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5505

Re: RZ 2010-HM-008
FDP 2010-HM-008
Vetech Property
Tax Map: 17-4

Dear Ms. Berlin:

The following information is submitted in response to your request for a water service analysis for the above application:

1. The property is served by Fairfax Water.
2. Adequate domestic water service is available at the site from existing 8-inch and 12-inch water mains located at the property. See the enclosed water system map.
3. Depending upon the configuration of the on-site water mains, additional water main extensions may be necessary to satisfy fire flow requirements and accommodate water quality concerns.

If you have any questions regarding this information please contact Dave Guerra at (703) 289-6343.

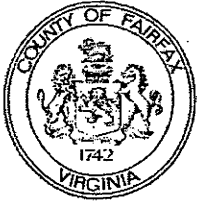
Sincerely,

A handwritten signature in cursive script that reads "Traci K. Goldberg".

Traci K. Goldberg, P.E.
Manager, Planning Department

Enclosure

cc: Brian Winterhalter, Cooley, LLP



COUNTY OF FAIRFAX
Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, VA 22035 (703) 324-1290, TTY 711
www.fairfaxcounty.gov/dpz/zoning/applications

APPLICATION No: RZ/FDP 2010-HM-008
(Assigned by staff)

RECEIVED
Department of Planning & Zoning
JUN 28 2010
Zoning Evaluation Division

APPLICATION FOR A REZONING
(PLEASE TYPE or PRINT IN BLACK INK)

PETITION

TO: THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA

I (We), RPM, LLC and Section 913, LP, the applicant (s) petition you to adopt an ordinance amending the Zoning Map of Fairfax County, Virginia, by reclassifying from the I-4 District to the PRM District the property described below and outlined in red on the Zoning Section Sheet(s) accompanying and made part of this application.

APPLICATION TYPE(S):	PCA	()	CDP	(<input checked="" type="checkbox"/>)	FDP	(<input checked="" type="checkbox"/>)	CDPA	()	FDPA	()
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LEGAL DESCRIPTION:

Please see attachment.				
Lot(s)	Block(s)	Subdivision	Deed Book	Page No.

TAX MAP DESCRIPTION:

17-4	19		1, 2, 3, 4, 5A, 6A	4.592
17-4	24		4B	1.675
				6.267 6.27
Map No.	Double Circle No.	Single Circle No.	Parcel(s)/Lot(s) No.	Total Acreage

POSTAL ADDRESS OF PROPERTY:

11401, 11403, 11407, 11411, and 11417 Sunset Hills Road

ADVERTISING DISCRIPTION: (Example - North side of Lee Highway approx. 1000 feet west of its intersection with Newgate Blvd.)

North of Route 267, south of Sunset Hills Road, west of Wiehle Avenue	
PRESENT USE: office and warehousing	PROPOSED USE: residential, office, retail
MAGISTERIAL DISTRICT: Hunter Mill	OVERLAY DISTRICT(S):

The name(s) and address(s) of owner(s) of record shall provided on the affidavit form attached and made part of this application. The undersigned has the power to authorize and does hereby authorize Fairfax County staff representative on official business to enter on the subject property as necessary to process the application.

Mark C. Looney
Type or Print Name


Signature of Applicant or Agent

11951 Freedom Drive, Reston, VA 20190
Address

(Work) 703-456-8652 (Mobile)
Telephone Number

Please provide name and telephone number of contact if different from above:

DO NOT WRITE BELOW THIS SPACE

Date application accepted: 7/7/10 K. Quinn

Fee Paid \$ 35,595.00

Rezoning Application

RZ 2010-HM-008

Applicant: RPB&M LLC AND SECTION 913, LP
Accepted: 07/07/2010
Proposed: MIXED USE DEVELOPEMENT
Area: 6.27 AC OF LAND; DISTRICT - HUNTER MILL

Zoning Dist Sect:
Located: NORTH OF ROUTE 267, SOUTH OF SUNSET
HILLS ROAD AND WEST OF WIEHLE AVENUE

Zoning: FROM I- 4 TO PRM

Overlay Dist:
Map Ref Num: 017-4- /19/ /0001 /19/ /0002
/19/ /0003 /19/ /0004 /19/
/0005A /19/ /0006A /24/ /0004B

Final Development Plan

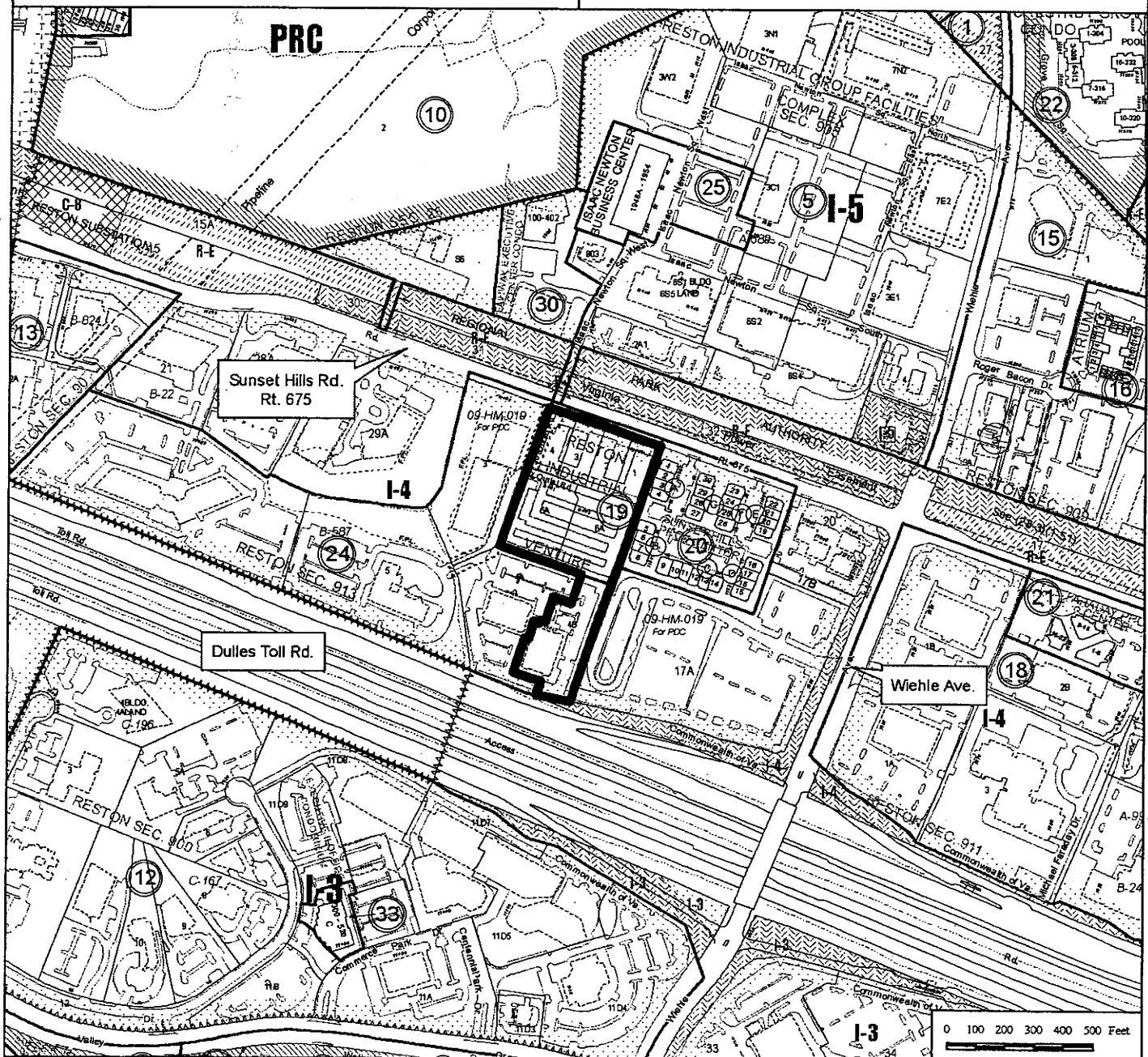
FDP 2010-HM-008

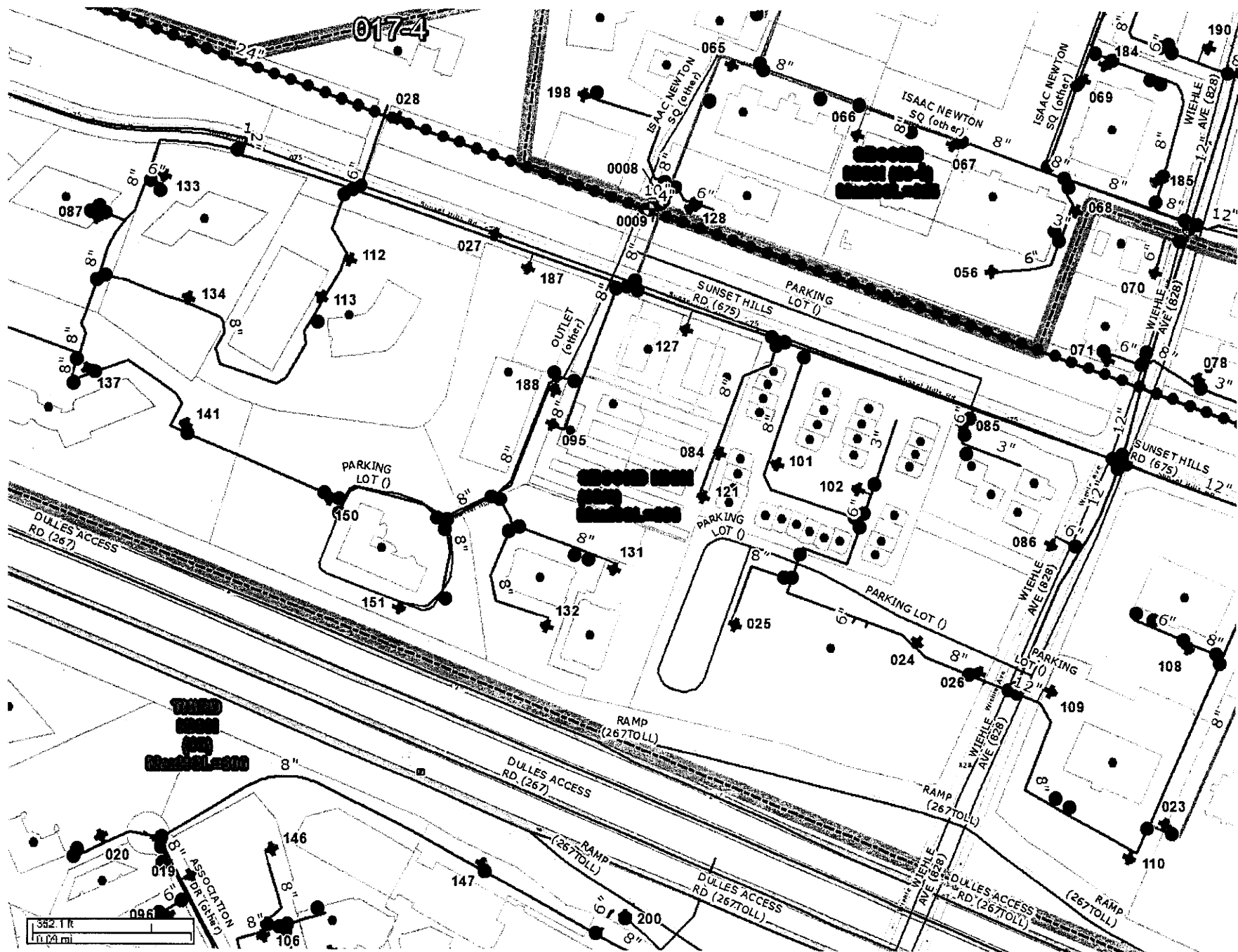
Applicant: RPB & M LLC AND SECTION 913, LP
Accepted: 07/07/2010
Proposed: MIXED USE DEVELOPEMENT
Area: 6.27 AC OF LAND; DISTRICT - HUNTER MILL

Zoning Dist Sect:
Located: NORTH OF ROUTE 267, SOUTH OF SUNSET
HILLS ROAD & WEST OF WIEHLE AVENUE

Zoning: PRM

Overlay Dist:
Map Ref Num: 017-4- /19/ /0001 /19/ /0002
/19/ /0003 /19/ /0004 /19/
/0005A /19/ /0006A /24/ /0004B





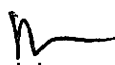


County of Fairfax, Virginia

MEMORANDU

DATE: June 12, 2012

TO: William O'Donnell, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Sharad Regmi, Stormwater Engineer 
Site Development and Inspections Division
Department of Public Works and Environmental Services

SUBJECT: Rezoning and Final Development Plan Application Review, RZ/FDP 2010-HM-008, Tax Map #017-4-24-0004B; 017-4-19-0001, 0002, 0003, 0004, 0005A, and 0006A, Veatch Property, Plan dated January 27, 2012, Hunter Mill District

We have reviewed the subject Plan and offer the following comments related to stormwater management:

Chesapeake Bay Preservation Ordinance (CBPO)

There is no mapped Resource Protection Area on the Site.

Applicant intends to provide BMP requirement using two StormFilters for the proposed redevelopment. Applicant proposes only 2.41% of phosphorus removal using the proposed storm-filters. For redevelopment of any property not currently served by one or more BMPs, the total phosphorus runoff pollution load from the property shall be reduced by at least ten percent from the phosphorus runoff pollution load prior to redevelopment (CBPO 118-3-2f(3)). It is not clear if there are any existing BMP facilities or not. The total impervious area after development is going to be 78.41%. If there are not any existing BMP facilities, it is highly encouraged to provide 40% phosphorus removal using BMP facilities. A higher level of water quantity control of 40% phosphorus removal is above the minimum PFM requirements for a redevelopment project.

Floodplain Regulations

There is no regulated 100-yr floodplain on the site.

Stormwater Detention

The applicant indicates that stormwater detention will be achieved with six proposed underground detention vaults on the site. It appears that there is a residential use of the proposed development, Board approval for the underground stormwater detention vaults in conjunction with the approval of rezoning is required (PFM 6-0303.8).

Site Outfall

Applicant has not demonstrated adequate outfall (2-yr non-erosive velocity and 10-yr capacity) throughout the extent of review. If the applicant is using stormwater detention method (PFM 6-0302.4C) to address the inadequate outfall, then the detention method calculation needs to be provided for each outfall. In the detention method, applicant needs to demonstrate that (1) detention is provided so that the 1-year storm volume is detained for a minimum of 24-hours; and (2) that the 2-year and 1-year peak flows at the development site are reduced below the

relative peak flows of the site in a "good forested" condition (PFM 6-0203.4C). Despite use of the detention method, the extent of review and bed banks are required for the outfall. The downstream review shall start at the site boundary and extends all the way to the point that is 150 feet downstream of the point where the receiving pipe or channel is joined by another that has a drainage area that is at least 90% of the size of the first drainage area; or to the point where the drainage area is 100 times greater than the contributing drainage area of the development site; or to the point that is at least 150 feet downstream of a point where the drainage area is 360 acres or greater.

Downstream Drainage Complaints

There are no recent downstream drainage complaints on file.

Additional Comments

It appears that the existing site was developed without water quality controls of the existing impervious area. The applicant should be encouraged to provide additional controls above the minimum required for the redevelopment. In addition, other Low Impact Development (LID) BMP concepts including a green roof is encouraged.

If you have any questions, or need further assistance, please contact me at 703-324-1720.

SR/

cc: Don Demetrius, Chief, Watershed Evaluation Branch, SPD, DPWES
Shahab Baig, Chief North Branch, SDID, DPWES
Zoning Application File (3615-ZONA- 003-1)



County of Fairfax, Virginia

MEMORANDU

DATE: October 9, 2012

TO: William O'Donnell, Staff Coordinator *SO*
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Sharad Regmi, Stormwater Engineer
Site Development and Inspections Divisions (SDID)
Department of Public Works and Environmental Services

SUBJECT: Veatch Property, Rezoning and Final Development Plan Application, RZ/FDP 2010-HM-008, Tax Map #017-4-24-0004B; 017-4-19-0001, 0002, 0003, 0004, 0005A, and 0006A, Plan dated January 27, 2012, Hunter Mill District

REFERENCE: Waiver # 2615-WPFM-003-1, for location of Underground Facilities in a Residential Area

We have reviewed the referenced submission for consistency with Section 6-0303.8 of the Public Facilities Manual (PFM), which restricts use of underground stormwater management facilities located in a residential development (Attachment B). The Board of Supervisors (Board) may grant a waiver after taking into consideration possible impacts on public safety, the environment, and the burden placed on prospective homeowners for maintenance. Underground stormwater management facilities located in residential developments allowed by the Board:

- shall be privately maintained;
- shall be disclosed as part of the chain of title to all future owners responsible for maintenance of the facilities;
- shall not be located in a County storm drainage easement; and,
- shall have a private maintenance agreement, in a form acceptable to the Director of the Department of Public Works and Environmental Services (DPWES), executed before the construction plan is approved.

The applicant has proposed underground stormwater facilities for the development comprised of 421 residential units. The proposed method for stormwater management includes use of four underground detention vaults and one underground StormFilter™ systems. All of these vaults will be located just outside the footprint of the proposed building.

ANALYSIS:

An analysis of the possible impacts on public safety, the environment, and the burden placed on prospective home owners for maintenance is as follows:



Impacts on Public Safety – The underground vaults are proposed to be located just outside the footprint of the proposed building. The access points to the facility will be visible. Locking manholes and doors must be provided at each access point.

If it is the intent of the Board to approve the waiver request, the applicant shall provide liability insurance in an amount acceptable to Fairfax County as a waiver condition. A typical liability insurance amount is \$1,000,000 against claims associated with underground facilities. The private maintenance agreement shall also hold Fairfax County harmless from any liability associated with the facilities.

Impacts on the Environment – The surrounding areas are developed and the proposed underground facilities will outfall into an piped storm drainage system which ultimately outfalls into Reston Section 913 Pond. It should be noted that no trees or shrubs will be permitted to be planted directly above or adjacent to the underground facilities. Staff does not believe that there will be any adverse impact on the environment from the proposed underground facilities.

Burden Placed on Prospective Homeowners for Maintenance and Future Replacement – *The Maintenance:* The engineer has provided an estimate of \$ 11, 000 as the annual maintenance cost of the proposed facilities (four underground detention vaults and one Stormfilter for BMP); staff finds this estimate reasonable. Before site plan approval, sufficient funds should be placed into escrow to fund 20 years of maintenance. An escrow fund of \$ 220,000 shall be required. This fund would not be available to the owner until bond release.

If it is the intent of the Board to approve the waiver request, staff recommends the property owner be required to execute a maintenance agreement prior to site plan approval. Staff further recommends the property owner be required to establish a financial plan for the operation, inspection, and maintenance of the underground facility. The property owner should be required to establish a fund for the annual maintenance. Staff recommends that the property owner provide an initial deposit in an escrow account in an amount equal to the estimated costs for the first 20 years of maintenance of the facilities before construction plan approval.

Future Replacement: The engineer has estimated the construction cost for the proposed facilities (four underground detention vaults and one Stormfilter for BMP) as \$ 415, 270; staff finds the estimates reasonable. With a total of 421 residential units proposed, the burden of cost of maintenance and replacement per residential units is estimated as \$46.03 per year; staff finds the estimate reasonable.

If it is the intent of the Board to approve the waiver request, the property owner should be required, as a waiver condition, to address future replacement of the underground facility as part of its private maintenance agreement with the County. In order to maximize the useful life of the underground facility, the property owner must be required to construct the underground facilities with reinforced concrete products only. A replacement cost fund, based on an estimated 50-year lifespan for concrete products, should be established. The replacement reserve fund must be separate from the annual maintenance fund to ensure the monies are available at the time replacement is necessary and have not been previously spent on maintenance activities.

A minimum height of 72" is required to facilitate maintenance within the underground stormwater structures. Accessibility to the underground facilities is of concern as to provide

sufficient head room above the facilities for maintenance purposes. To provide greater accessibility for maintenance purposes, staff recommends the applicant provide a minimum 72" of interior structure height for all underground stormwater facilities.

The applicant must also provide that disclosure will be made in the chain of title of the homeowners' responsibility for maintenance and the associated waiver conditions.

RECOMMENDATION:

DPWES recommends that the Board approve the waiver to locate underground facilities in a residential area for the Veatch Property development plan, subject to Waiver # 2615-WPFM-003-1 Conditions dated October 9, 2012, as contained in Attachment A.

If you have any questions, or need further assistance, please contact me at 703 324-1720.

ATTACHED DOCUMENTS:

Attachment A – Waiver # 2615-WPFM-003-1 Conditions, Veatch Property, dated October 9, 2012

Attachment B – PFM Section 6-0303.8

cc: Robert A. Stalzer, Deputy County Executive
Michelle Brickner, Director, Land Development Services, DPWES
Betsy Smith, SDID, LDS, DPWES
Shahab Baig, Chief, North Branch, SDID, LDS, DPWES
Zoning Application File (3615-ZONA-003-1)
Waiver File

ATTACHMENT A

Waiver Request # 2615-WPFM-003-1 Conditions

Veatch Property
RZ/FDP 2010-HM-008
October 9, 2012

1. The underground facility shall be constructed in accordance with the development plan and these conditions as determined by the Director of the Department of Public Works and Environmental Services (DPWES).
2. To provide greater accessibility for maintenance purposes, the underground facility shall have a minimum height of 72 inches.
3. The underground facility shall be constructed of reinforced concrete products only.
4. The underground facility shall incorporate appropriate safety features, such as locking manholes and doors, as determined by DPWES at the time of construction plan submission.
5. The underground facility shall be privately maintained and shall not be located in a county storm drain easement.
6. A private maintenance agreement, as reviewed and approved by the Fairfax County Attorney's Office, shall be executed and recorded in the land records of the county prior to final site plan approval. The maintenance agreement shall run with the land, its successors and assigns. The private maintenance agreement shall include:
 - a condition that the property owner and its successors or assigns shall not petition the county to assume the maintenance, or the replacement, of the underground facility;
 - a reference to the establishment of the reserve funds for the maintenance and replacement of the underground facility;
 - a reference to the operation, inspection, and maintenance procedures detailed in the site plan;
 - a condition that the property owner provide and continuously maintain liability insurance; a typical liability insurance amount is at least \$1,000,000 against claims associated with underground facility; and
 - a statement that Fairfax County shall be held harmless from any liability associated with the facility.

ATTACHMENT A (Continued)

7. Operation, inspection, and maintenance procedures associated with the underground facility shall be included in the site plan to ensure the safe operation, inspection, and maintenance of the facility. The procedures shall include:

- establishment of procedures to facilitate inspection by the county including, but not limited, to

- ☐ an advance notice procedure,
 - ☐ a requirement for inspection of transitional screening,
 - ☐ a requirement for contact information,
 - ☐ the procedure for obtaining the access keys,
 - ☐ the procedure to ensure the access points to the facility are not blocked;
- and

- establishment of operation and maintenance procedures to

- ☐ ensure the facility will continue to control the stormwater generated from the site,
- ☐ continue to minimize the possibility of clogging events, and

8. A financial plan for the property owner to finance regular maintenance and full life-cycle replacement costs shall be established prior to site plan approval. The financial plan shall include:

- a separate line item in the annual budget for operation, inspection, and maintenance shall

be established;

- a reserve fund for future replacement of the underground facility shall be established to receive annual deposits based on the initial construction costs and an estimated 50-year lifespan for concrete products; and

- prior to final construction plan approval, the property owner shall escrow sufficient funds which will cover a 20-year maintenance cycle of the underground facility; these monies shall not be made available to the owner until after final bond release.

ATTACHMENT B

The Public Facilities Manual (PFM) Section 6-0303.8 (24-88-PFM, 83-04-PFM)
Underground detention facilities may not be used in residential developments, including rental townhouses, condominiums and apartments, unless specifically waived by the Board of Supervisors (Board) in conjunction with the approval of a rezoning, proffered condition amendment, special exception, or special exception amendment. In addition, after receiving input from the Director regarding a request by the property owner(s) to use underground detention in a residential development, the Board may grant a waiver if an application for rezoning, proffered condition amendment, special exception, and special exception amendment was approved prior to, June 8, 2004, and if an underground detention facility was a feature shown on an approved proffered development plan or on an approved special exception plat. Any decision by the Board to grant a waiver shall take into consideration possible impacts on public safety, the environment, and the burden placed on prospective owners for maintenance of the facilities. Any property owner(s) seeking a waiver shall provide for adequate funding for maintenance of the facilities where deemed appropriate by the Board. Underground detention facilities approved for use in residential developments by the Board shall be privately maintained, shall be disclosed as part of the chain of title to all future homeowners (e.g. individual members of a homeowners or condominium association) responsible for maintenance of the facilities, shall not be located in a County storm drainage easement, and a private maintenance agreement in a form acceptable to the Director must be executed before the construction plan is approved. Underground detention facilities may be used in commercial and industrial developments where private maintenance agreements are executed and the facilities are not located in a County storm drainage easement.



County of Fairfax, Virginia

MEMORANDUM

DATE: August 4, 2010

TO: Staff Coordinator
Zoning Evaluation Division
Department of Planning & Zoning

FROM: Lana Tran (Tel: 703 324-5008)
Wastewater Planning & Monitoring Division
Department of Public Works & Environmental Services

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. RZ/FDP2010-HM-008

Tax Map No. 017-4-/19/0001, 0002, 0003, 0004, 0005A, 0006A, /24/0004B

The following information is submitted in response to your request for a sanitary sewer analysis for above referenced application:

1. The application property is located in the Colvin Run (D-2) watershed. It would be sewerred into the Blue Plains Treatment Plant .
2. Based upon current and committed flow, there is excess capacity in the Blue Plain Treatment Plant. For purposes of this report, committed flow shall be deemed that for which fees have been paid, building permits have been issued, or priority reservations have been established by the Board of Supervisors. No commitment can be made, however, as to the availability of treatment capacity for the development of the subject property. Availability of treatment capacity will depend upon the current rate of construction and the timing for development of this site.
3. An existing 8" inch line located in the street is adequate for the proposed use at this time.
4. The following table indicates the condition of all related sewer facilities and the total effect of this application.

<u>Sewer Network</u>	<u>Existing Use + Application</u>		<u>Existing Use + Application Previous Rezonings</u>		<u>Existing Use + Application + Comp Plan</u>	
	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>	<u>Adeq.</u>	<u>Inadeq.</u>
Collector	<u>X</u>	_____	<u>X</u>	_____	<u>X</u>	
Submain	<u>X</u>	_____	<u>X</u>	_____	<u>X</u>	
Main/Trunk	<u>X</u>	_____	<u>X</u>	_____	<u>X</u>	
Interceptor	_____	_____	_____	_____		
Outfall	_____	_____	_____	_____		

5. Other pertinent information or comments:





**FAIRFAX COUNTY
PUBLIC SCHOOLS**

Department of Facilities and Transportation Services

Office of Facilities Planning Services
8115 Gatehouse Road, Suite 3300
Falls Church, Virginia 22042

August 17, 2012

TO: Barbara Berlin, Director
Fairfax County Department of Planning & Zoning
Zoning Evaluation Division

FROM: Denise M. James, Director *DMJ*
Office of Facilities Planning Services

SUBJECT: RZ/FDP 2010-HM-008

ACREAGE: 6.27 acres

TAX MAP: 17-4 ((19)) 1, 2, 3, 4, 5A, 6A & 17-4 ((24)) 4B

The rezoning application proposes to rezone property from the I-4 District to the PRM District to permit a mixed use, transit oriented development containing 421 mid/high-rise multi-family units.

The rezoning application is within the Sunrise Valley Elementary, Hughes Middle, and South Lakes High school attendance areas. The chart below shows the exiting school capacity, enrollment, and projected enrollment.

School	Capacity	Enrollment (9/30/11)	2012-2013 Projected Enrollment	Capacity Balance 2012-2013	2017-18 Projected Enrollment	Capacity Balance 2017-18
Sunrise Valley ES	663/750*	622	607	56	662	88
Hughes MS	1050	921	1025	25	1246	-196
South Lakes HS	2131	2281	2393	-262	2983	-852

Capacity and enrollment are based on the FCPS FY 2013-17 CIP.

**Sunrise Valley Elementary has been approved for renovation, which is anticipated to be completed for the 2014-15 school year and will increase its capacity.*

As the chart above shows, overcrowding is projected at the middle school level and severe overcrowding at the high school level for the 2017-18 school year. Sufficient capacity is projected for Sunrise Valley.

The rezoning application proposes a maximum of 421 multi-family dwelling units. The chart shows the number of anticipated students from this proposed rezoning based on the countywide student yield ratio. The current I-4 zoning would not permit residential units and would not generate students; therefore, the student yield from the proposed zoning represents the net increase in students.

School level	Mid/High-rise multi-family ratio	Proposed # of units	Student yield
Elementary	.047	421	20
Middle	.013	421	5
High	.027	421	11

36 total

As the chart above shows, this rezoning application will further exacerbate the existing and projected overcrowding at South Lakes High School. The current FCPS Capital Improvement Program recommends capacity additions for a high school in the western portion of the County; building additions at several western county high schools and/or an additional high school in the western portion of the county will likely be needed to address the growing capacity deficit at the high school level in the region. Staff continues to monitor the student growth at South Lakes.

Based on the approved proffer formula guidelines contained in the Residential Development Criteria, the students generated would justify a proffer contribution of \$337,608 (36 students x \$9,378) in order to address capital improvements for the receiving schools. It is recommended that all proffer contributions be directed to the South Lakes High School pyramid and/or to the Cluster VIII schools that encompass this area at the time of site plan approval or building permit approval. A proffer contribution at the time of occupancy is not recommended since this does not give the school system adequate time to utilize the proffer to offset the impact of new students from the proposed development.

In addition, an escalation proffer is recommended. The suggested per student proffer contribution is updated on an annual basis to reflect current market conditions. The amount has decreased over the last couple of years because of the down turn in the economy and lower construction costs for FCPS. As a result, an escalation proffer would allow for payment of the school proffer based on either the current suggested per student proffer contribution at the time of zoning approval or the per student proffer contribution in effect at the time of development, whichever is greater. This would better offset the impact that new student yields will have on surrounding schools at the time of development. Suggested proffer text is provided below.

Adjustment to Contribution Amounts. At the time the proffer contribution set forth above is due, the applicant/developer shall pay the amount as proffered or shall pay the amount as calculated by the proffer formula in effect at time of payment, whichever is greater.

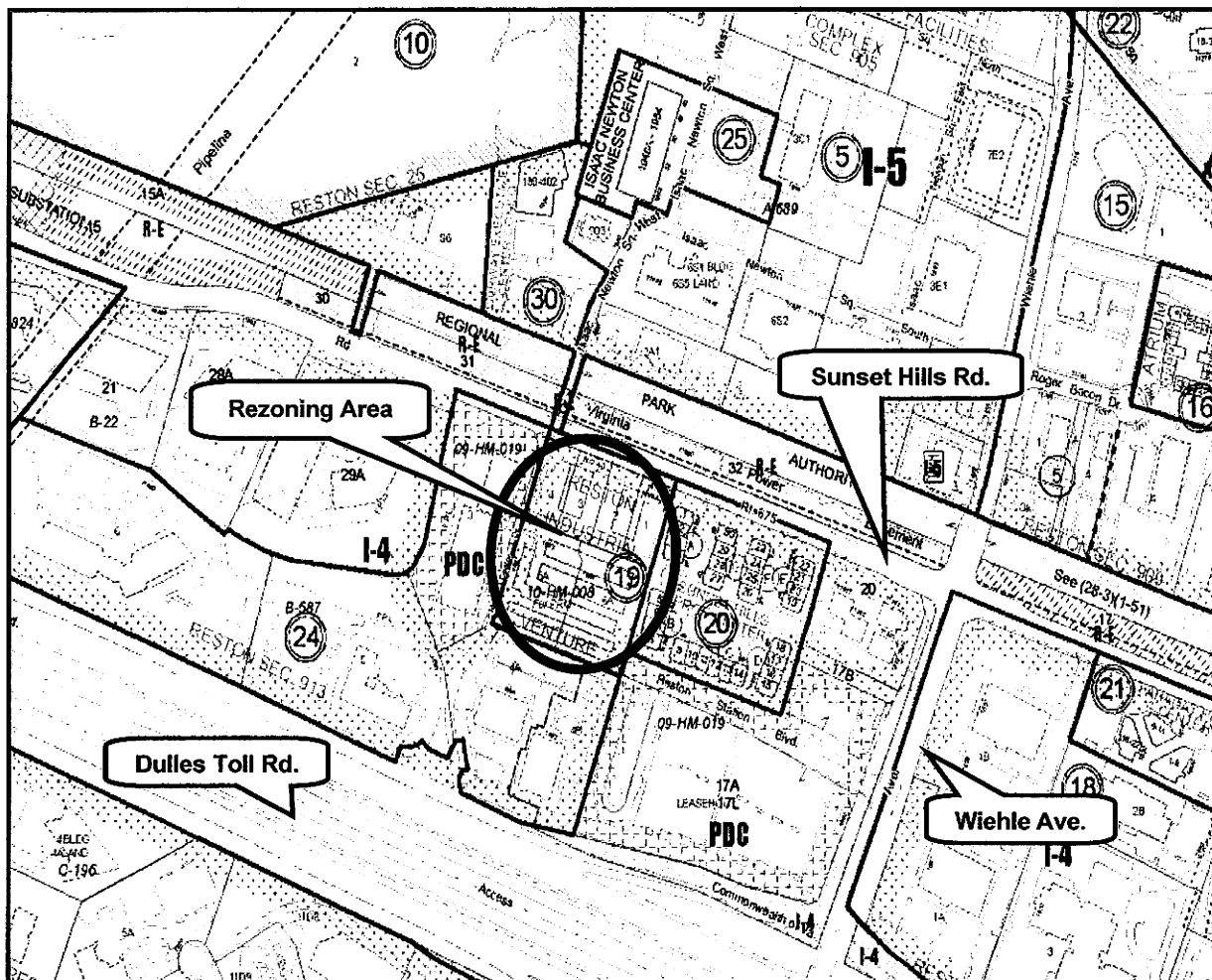
It is also recommended that notification be given to FCPS when construction is anticipated to commence. This will assist FCPS to track the status and progress of new development and allow the timely accommodation of future students.

DMJ/kv

Attachment: Locator Map

cc: Pat Hynes, School Board Member, Hunter Mill District
 Ilryong Moon, School Board Member, At-Large
 Ryan McElveen, School Board Member, At-Large
 Ted Velkoff, School Board Member, At-Large
 Dean Tistadt, Chief Operating Officer
 Kevin Sneed, Director, Design and Construction
 Fabio Zuluaga, Cluster VIII, Assistant Superintendent
 Kimberly Retzer, Principal, South Lakes High School
 Aimee Monticchio, Principal, Hughes Middle School
 Elizabeth English, Principal, Sunrise Valley Elementary School

Fairfax County Public Schools
Office of Facilities Planning Services






FAIRFAX COUNTY PARK AUTHORITY



M E M O R A N D U M

TO: Barbara Berlin, AICP, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Sandy Stallman, AICP, Manager
Park Planning Branch, PDD 

DATE: January 18, 2013

SUBJECT: RZ-FDP 2010-HM-008, Veatch Property, Revision – ADDENDUM
Tax Map Number(s): 17-4 ((19) 1, 2, 3, 4, 5A, 6A and 17-4 ((24)) 4B

The Park Authority has reviewed the above referenced revised proposed Development Plan and draft proffers dated January 8, 2013. Staff has previously commented on this application and draft proffers in a memo dated September 24, 2012; those comments still apply.

Staff provides the following additional comment to supplement comments provided earlier.

- Staff requests that the dimensions of the lawn area within Courtyard B be shown on the plan set (sheet #11). This area is proffered to contain one of three types of active recreation and depicting dimensions on the plan sheet will assist in clarifying expectations.

FCPA Reviewer: Anna Bentley
DPZ Coordinator: Billy O'Donnell

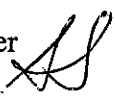
Copy: Cindy Walsh, Director, Resource Management Division
Andrea L. Dorlester, Planner IV, Park Planning Branch
Chron Binder
File Copy



FAIRFAX COUNTY PARK AUTHORITY

M E M O R A N D U M

TO: Barbara Berlin, AICP, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Sandy Stallman, AICP, Manager
Park Planning Branch, PDD 

DATE: September 24, 2012

SUBJECT: RZ-FDP 2010-HM-008, Veatch Property, Revision 3
Tax Map Number(s): 17-4 ((19)) 1, 2, 3, 4, 5A, 6A and 17-4 ((24)) 4B

BACKGROUND

The Park Authority staff has reviewed the revised Development Plan dated July 20, 2012 for the above referenced application. Staff has also reviewed and commented on prior versions of this Development Plan.

The current Development Plan proposes 421 new multi-family dwelling units and up to 10,000 square feet of support retail uses in one building and maintains the existing 30,608 square foot office building on a 6.27 acre parcel to be rezoned from I-4 to PRM with proffers. Based on an average multi-family household size of 1.96 in the Upper Potomac Planning District, the development could add 825 new residents to the Hunter Mill Supervisory District.

Based on this revised Development Plan, staff provides the following comments.

COMPREHENSIVE PLAN GUIDANCE

The County Comprehensive Plan includes both general and specific guidance regarding parks and resources. The Policy Plan describes the need to mitigate adverse impacts to park and recreation facilities caused by growth and development; it also offers a variety of ways to offset those impacts, including contributions, land dedication, development of facilities, and others (Parks and Recreation, Objective 6, p.8). Resource protection is addressed in multiple objectives, focusing on protection, preservation, and sustainability of resources (Parks and Recreation Objectives 2 and 5, p.5-7).

The Policy Plan also cites differing needs for more urban development and presents Urban Park Development guidance (Parks and Recreation, Park Classification System, p.10-11). The Park Authority's Urban Parks Framework provides an urban parkland standard and more detailed guidance. Staff also notes that the site is within the Reston-Herndon Suburban Center, the subject of an on-going Special Study initiated to consider how/if Plan language should be

updated to better accommodate the arrival of Metrorail in the Reston-Dulles corridor. Park and recreation recommendations will be part of Plan updates.

ANALYSIS AND RECOMMENDATIONS

Proffer Review:

Both ordinance-required minimum expenditures and Park Authority fair share contributions are addressed in the draft proffers dated July 18, 2012. Proffer #17 (pg.22) accurately reflects the Zoning Ordinance's Section 16-409 requirement (\$1700 per non ADU unit), including the notation that any funds not spent onsite should be conveyed to the Park Authority for use at one or more nearby park sites. Proffer #18 (pg.22) adequately reflects the requested fair share contribution (\$1,786 per unit), including a note that the funds be provided directly to the Park Authority for use at one or more nearby park sites.

Onsite Active Recreation Facilities:

In a prior review of this application, staff commented on the untapped, potential benefit of the applicant's courtyard design. In that memorandum (dated December 2, 2010) staff cited the limited onsite, outdoor, active recreation opportunities included in that plan version and questioned the extent to which provided open spaces would receive exposure to the sun. The current revision of this site has redistributed the courtyards/open space but these two central concerns remain.

The proposed development's scale and location will make it a prominent feature within a corridor poised to become even more of a regional draw than it is currently. Residents are likely to be those seeking a more urban, centralized lifestyle with amenities immediately available and nearby. While it is usually appropriate to include onsite active recreation facilities in residential developments, it becomes critical within this specific context.

Staff recognizes that an indoor fitness room will likely be provided and that the outdoor pool will afford some level of leisure activity, but only for three months of the year. Dedicated single or multiple use facilities for outdoor active recreational use are absent in this application. There are a variety of ways that active recreation can be incorporated into the site design. In fact, the reconfiguration of the courtyards reflected in this revision presents more opportunities to do so than prior configurations. In the December 2010 memorandum, staff provided the list of recreation elements below as examples of scale-appropriate facility types that would be suitable for a rooftop or urban space environment.

Facility Type	Facility envelope	Notes
Rooftop soccer (Futsal)	50' x 80' min.	Max. size of 75' x 120'
Regulation Tennis (single)	60' x 120'	
Regulation Tennis (double)	108' x 120'	
Paddle Tennis	40' x 80'	
Platform Tennis	30' x 60'	
Badminton	30' x 54'	
Pickleball	20' x 44'	can fit 4 overlayed on single regulation tennis court
Multi-purpose court/basketball	50' x 84'	
Croquet	40' x 75'	can be up to 90' long
Bocceball	20' x 80'	

Fitness Course/Outdoor Gym	variable	cluster as needed
Playground	variable	should be suitable for kids up to 12

Staff recommends one or more active recreation facility be incorporated into the courtyards. Staff is available to discuss options further with the applicant, as appropriate.

In addition, staff continues to recommend that the applicant provide a shade study to determine how much natural light would be available within the courtyards.

SUMMARY OF RECOMMENDATIONS

Recommendations included in the preceding analysis section are listed below.

- Incorporate one or more outdoor, active recreation facilities in the courtyard areas
- Provide a shade study to illustrate how much natural light would be available within the courtyards

FCPA Reviewer: Anna Bentley
DPZ Coordinator: Billy O'Donnell

Copy: Cindy Walsh, Director, Resource Management Division
Andrea L. Dorlester, Planner IV, Park Planning Branch
Chron Binder
File Copy

ARTICLE 16

DEVELOPMENT PLANS

PART 1 16-100 STANDARDS FOR ALL PLANNED DEVELOPMENTS**16-101 General Standards**

A rezoning application or development plan amendment application may only be approved for a planned development under the provisions of Article 6 if the planned development satisfies the following general standards:

1. The planned development shall substantially conform to the adopted comprehensive plan with respect to type, character, intensity of use and public facilities. Planned developments shall not exceed the density or intensity permitted by the adopted comprehensive plan, except as expressly permitted under the applicable density or intensity bonus provisions.
2. The planned development shall be of such design that it will result in a development achieving the stated purpose and intent of the planned development district more than would development under a conventional zoning district.
3. The planned development shall efficiently utilize the available land, and shall protect and preserve to the extent possible all scenic assets and natural features such as trees, streams and topographic features.
4. The planned development shall be designed to prevent substantial injury to the use and value of existing surrounding development, and shall not hinder, deter or impede development of surrounding undeveloped properties in accordance with the adopted comprehensive plan.
5. The planned development shall be located in an area in which transportation, police and fire protection, other public facilities and public utilities, including sewerage, are or will be available and adequate for the uses proposed; provided, however, that the applicant may make provision for such facilities or utilities which are not presently available.
6. The planned development shall provide coordinated linkages among internal facilities and services as well as connections to major external facilities and services at a scale appropriate to the development.

16-102 Design Standards

Whereas it is the intent to allow flexibility in the design of all planned developments, it is deemed necessary to establish design standards by which to review rezoning applications, development plans, conceptual development plans, final development plans, PRC plans, site plans and subdivision plats. Therefore, the following design standards shall apply:

1. In order to complement development on adjacent properties, at all peripheral boundaries of the PDH, PRM, PDC, PRC Districts the bulk regulations and landscaping and screening provisions shall generally conform to the provisions of that conventional

FAIRFAX COUNTY ZONING ORDINANCE

zoning district which most closely characterizes the particular type of development under consideration. In the PTC District, such provisions shall only have general applicability and only at the periphery of the Tysons Corner Urban Center, as designated in the adopted comprehensive plan.

2. Other than those regulations specifically set forth in Article 6 for a particular P district, the open space, off-street parking, loading, sign and all other similar regulations set forth in this Ordinance shall have general application in all planned developments.
3. Streets and driveways shall be designed to generally conform to the provisions set forth in this Ordinance and all other County ordinances and regulations controlling same, and where applicable, street systems shall be designed to afford convenient access to mass transportation facilities. In addition, a network of trails and sidewalks shall be coordinated to provide access to recreational amenities, open space, public facilities, vehicular access routes, and mass transportation facilities.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		